

THE GEORGE WASHINGTON UNIVERSITY
Washington, DC

MINUTES OF THE REGULAR MEETING OF THE
FACULTY SENATE HELD ON SEPTEMBER 15,
1995, IN MARVIN CENTER, ROOM 403

The meeting was called to order by President Trachtenberg at 2:17 p.m.

Present: President Trachtenberg, Interim Vice President Salamon, Interim Registrar Selinsky, Parliamentarian Keller, Brewer, Captain, Caress, Castleberry, Darr, Englander, Fowler, Friedenthal, Frieder, Futrell, Griffith, Gupta, Haque, Harding, Harrauld, Johnston, Kahn, Park, Pelzman, Seavey, Silber, Smith, Solomon, Straw, Tropea, Vontress, and Yezer

Absent: Boswell, Elgart, Keimowitz, Kimmel, and Robinson

INTRODUCTION OF NEW SENATE MEMBER

President Trachtenberg introduced James A. Straw, Professor of Pharmacology, newly-elected member of the Senate, to fill the unexpired term of Professor Kind, who retired.

APPROVAL OF THE MINUTES

The minutes of the Special Meeting of April 28, 1995, and the regular meeting of May 4, 1995, were approved as distributed.

RESOLUTIONS

RESOLUTION 95/3, "A RESOLUTION ON PARKING RATES"

Professor Park, Chair of the Committee on Administrative Matters as They Affect the Faculty, noted that the Committee, under Professor Eftis, former Chair, had undertaken a substantial inquiry about the parking rates at GW that resulted in the Resolution and Report before the Senate. Professor Park said that, since he was not a member of the Committee at that time, he asked Professor Kahn, who had the opportunity to meet with Professor Eftis about this subject, to present the report to the Senate in support of Resolution 95/3.

Professor Kahn noted that Professor Eftis distributed the resolution and report to the Senate at its May 4, 1995, meeting, but since it was not on the agenda for that meeting, it was deferred for action until today. He then gave a brief background of events leading up to the resolution before the Senate. He pointed out that a Resolution on Parking (90/14), prepared by the Appointment, Salary and Promotion Policies including Fringe Benefits, was presented to the Faculty Senate on April 12, 1992, that recommended that parking fees be frozen at the October 1, 1990, level for a period of three years. In the event that the decision was made to increase fees at that time,

such an increase should not exceed the percentage of faculty salary increases for that year. The Senate voted to refer that resolution to the Fiscal Planning and Budgeting Committee for further study; however, he said, nothing further was heard from the FPB Committee concerning Resolution 90/14, and there has been no further Faculty Senate action concerning this issue since that time.

Professor Kahn said that the substance of the Resolution before the Senate is a recommendation that the parking rates charged to full-time and part-time employees of the University be reduced by 35% and that the rate charged to students be reduced by 40% in order to be comparable to the parking rates at academic institutions in close proximity to GW. The rationale for this particular recommendation appears to be that, although there is considerable disagreement between Professor Eftis' estimate of parking revenues of \$7,325,000 and the University's estimated gross revenues for 1994 of \$3,524,382, offset by gross expenses of \$2,275,408, leaving a surplus of \$1,248,974, or roughly one-third of the gross revenue, reducing the parking fee by approximately one-third, would balance gross revenues and expenses according to the University's own figures. Professor Kahn said that Professor Eftis had received correspondence in June, 1995, from Alan Ingle, Associate Vice President for Business Affairs, who indicated that the new fiscal year reflected an approved increase in parking fees of 4%, primarily due to increased debt service and capital repairs for needed operations. In light of the fact that there remains a net surplus of \$1,248,974, Professor Kahn said that any increase in debt service would be well-covered and therefore did not provide a rationale for raising the parking fees this particular year by 4%. Professor Kahn then moved the adoption of Resolution 95/3, and the motion was seconded.

Professor Silber said that the figures reported indicated that the debt service for FY 1994 was \$1,631,604. In using this figure, he calculated that if the University paid 10% as a debt service, then that would mean the University owed \$16 million on parking facilities; if it paid as little as 7%, it would owe \$23 million, and anything in between would fall between those two parameters. He asked on what or where the University owed \$23 million or \$16 million because it was his understanding that the parking structure was built in 1975 and one would assume that this debt has been satisfied.

The Chair recognized Vice President and Treasurer Katz. Vice President Katz explained that the \$1,631,604 represented principal and interest on the debt service of the garages and parking lots. Each year the University spends money to resurface the parking lots and during the summer extensive renovations were made to the University high-rise garage at a cost of about \$400,000. In addition, there was a parking garage built below the Ambulatory Care Building. There are also personnel costs incurred in order to keep the lots cleaned and maintained. Vice President Katz explained that maintenance costs for the surface lots and garages are expended in addition to capital expenditures. There is a capital budget and an operating budget for parking facilities just as there is in other parts of the University.

Professor Silber asked if faculty use the parking garages, and Vice President Katz replied that faculty do use them. He said all parking is treated as one entity on the campus, and that the University is governed by the Campus Plan, as well as other regulations dictating the minimum and maximum number of spaces allowed on this campus.

Professor Straw noted that he had received a letter from Rosemary Sokas, Director of the Institute for the Environment, who expressed her view that lowering parking rates would encourage people to drive more and would be environmentally unsound. As an individual who rides the Metro, Professor Straw pointed out that he spends \$140.00 to \$150.00 a month, and that the appropriate comparison to parking at GW is commercial parking ranging from \$160.00 to \$200.00 a month, and that those who use the parking garage were being subsidized to the tune of \$40.00 to \$100.00 a month tax free. Professor Straw suggested that if the University increased the parking rate by a third, the surplus generated might be shared with those people who ride the Metro.

Professor Kahn commented that younger faculty members especially were forced to find housing at further distances from the University so that commuting by automobile and perhaps by Metro from most locations was almost a necessity. He observed that protecting the environment was not one of the rationales offered for by the University for increasing parking fees.

Professor Yezer asked if all of the parking spaces were currently being used. Vice President Katz responded that parking was operating at capacity. Professor Yezer replied that if parking is operating at capacity and the price is lowered, then there will be excess demand, and some scheme for allocation of parking spaces would have to be in place, such as a lottery, for example. If parking were not at capacity, Professor Yezer said that then maybe parking rates could be lowered, but he thought the Resolution is incomplete because there is a fundamental problem with reducing price when operating at capacity.

Professor Griffith noted in the Report that the Committee had requested reasonably detailed information showing the daily monthly parking revenues and the associated expenses, but this information was not forthcoming. He asked Vice President Katz if he could explain why the administration was unwilling to provide the data. Vice President Katz replied that all of the data on direct expenses was provided to the Committee, but indirect costs were not included.

Professor Johnston read into the record a letter to the Faculty Senate dated September 14, 1995, from David Robinson, Jr., Professor of Law, conveying his support of Resolution 95/3. (Professor Robinson's letter is attached and made a part of these minutes.)

Professor Seavey spoke against the Resolution. He said that he agreed with Professor Yezer in that the Resolution was calling for the

University to subsidize parking. If the University has extra money for that purpose, Professor Seavey thought that it might be used for things like faculty salaries or the Library, for example.

Professor Gupta pointed out that he had conducted an informal poll of his colleagues. Those faculty who drive to campus were generally in favor of this Resolution, and those who take the Metro would like to see a subsidy given to Metro riders.

Further discussion followed by Professors Kahn, Silber, Griffith, Yezer, and Vice President Katz.

Professor Pelzman said he wished to bring the debate back to the the larger issues, which have not been addressed. First, should the University equalize subsidies to those of its competitors? Secondly, should these subsidies be offered to just those people who drive or should they also be given to those who ride bicycles, walk or take the metro? Thirdly, if we want to subsidize, whom do we subsidize--those who are paid less than the 80 percent AAUP norm? That would mean that only Full Professors would warrant this subsidy. Professor Pelzman further said that the real issue here is whether or not we really want to encourage a subsidy program. Once such a policy is declared we should all be prepared for "Uncle Sam" to tax this subsidy. Vice President Katz said that as long as one does not have an assigned parking space, it is not taxed, but if one has an assigned parking space, it is taxed. He said that clearly the IRS is talking about closing any type of tax loophole by trying to tax all benefits. Whether this happens next year or a few years from now he did not know, but he said that it was most likely going to happen.

President Trachtenberg asked if he could invite some permanent or temporary resolution of this debate from the floor.

Professor Seavey moved the previous question, the motion was seconded, and the motion passed.

The question was called on the original motion. A paper ballot was requested. The vote was taken by paper ballot, and Resolution 95/3 was defeated by a vote of 8 to 13. (Resolution 95/3 is attached.)

INTRODUCTION OF RESOLUTIONS

No resolutions were introduced.

GENERAL BUSINESS

I. RESPONSE OF THE ADMINISTRATION TO FACULTY SENATE RESOLUTIONS FOR THE 1994-95 SESSION

The response of the Administration to Faculty Senate Resolutions for the 1994-95 Session was received as distributed with the agenda. Professor Englander noted that the Administration's response to

Resolution 94/13 regarding a Policy on Conflict of Interest in Federally Funded Research was approved by the Board of Trustees under the condition that the Faculty Senate and Administration draft a University-wide, all-encompassing conflict of interest policy for Board action in May 1996. He said that the key word is "all-encompassing" and that the Board was very serious about receiving such a policy under the stated time-frame.

II. NOMINATION FOR ELECTION OF CHAIR OF THE RESEARCH COMMITTEE

Professor Pelzman moved the nomination for election of Professor Muhammad I. Haque as Chair of the Research Committee. No nominations were made from the floor, and Professor Haque was elected unanimously.

III. NOMINATION FOR ELECTION OF MEMBERS TO SENATE STANDING COMMITTEES

Professor Pelzman moved the nomination for election of faculty to the following Senate Committees: Professor John E. Kwoka and Robert T. Smythe to the Committee on Fiscal Planning and Budgeting; Professor Edward A. Caress to the Committee on Athletics and Recreation. The nominations were approved.

IV. REPORT OF THE EXECUTIVE COMMITTEE

The report of the Executive Committee by Professor Joseph Pelzman, Chair, is enclosed and made a part of these Minutes.

V. INTERIM REPORTS OF SENATE COMMITTEE CHAIRS

On behalf of the Committee on Appointment, Salary and Promotion Policies, Professor Griffith, Chair, said he was pleased to announce that the University has agreed to join the Tuition Exchange Program and that information about the program will be mailed in the near future to the home addresses of all faculty. Professor Griffith said that he reported on a proposal for this program at the November Senate meeting last year, and that the Benefits Review Committee and the ASPP both supported this program. A description of the Tuition Exchange Program was distributed to the faculty with the minutes of that meeting.

Professor Griffith explained that the program would basically provide that four legally dependent children of eligible employees, both faculty and staff, could enroll in participating institutions across the country and be the recipient of a significant tuition remission scholarship. The scholarship will not necessarily be a scholarship that covers the full cost of the institution the student attends, but the minimum scholarship for the coming year that GW will be contributing to students who come to GW from other institutions is about \$13,000, which is a significant tuition remission scholarship,

he said. Students must apply to the colleges and meet their standards and be admitted in order to be eligible.

Professor Captain said that she recalled that the list of schools that were participating did not seem to her to include many of our market-basket schools. Professor Griffith responded that there were some 330 institutions participating in this program. It was entirely at the option of a university or college whether it wished to participate in the Tuition Exchange Program. He said that it was true that the list tends to include a lot more liberal arts colleges and relatively small institutions than large research universities, although there are some large universities on the list. Professor Griffith noted that the list of participating schools can be obtained from Mr. Dan Small, Enrollment Management, Rice Hall 310.

BRIEF STATEMENTS AND QUESTIONS

Professor Kahn said that he wished to comment on a matter brought to him by an employee concerning the subject of a change in the University schedule for paydays. In a recent letter to Fellow Biweekly Employees from the Comptroller, the employees were informed that because of the many problems associated with processing a large, complex biweekly payroll, together with the significant growth in direct deposits, the University has determined that in order to meet its responsibilities, it must have an additional five working days each pay period to process the payroll. Professor Kahn said that it seemed to him, as a member of the Department of Electrical Engineering and Computer Science, that in the age of computers, given the fact that the University has made a considerable investment recently in computer systems, it should be possible to process payroll more rapidly rather than less rapidly. Professor Kahn said that he thought this matter should be brought to the attention of the Senate.

President Trachtenberg said that there was a long article in BY GEORGE! which reported on this matter in great detail, explaining the rationale and various accommodations that the University had provided to stretch out the transition period over a few months and to lend money interest-free to any employee who would be negatively impacted by this change.

Vice President Katz explained that this change was being made because there are a lot of exceptions as to how people are paid, and in order to obtain better data for everyone, one must put more data into the system to get better data out. He said that we have a wide variety of pay classifications, such as overtime, shift differentials, stipends, etc. And because of the increasing amount of checks that are direct-deposited, there is an earlier cutoff time and zero margin for error. Vice President Katz said he thought once we get through the transition by spreading this over five biweekly cycles and offering advances that the University is giving employees a reasonable transition period.

Professor Griffith said he wished to suggest the following two issues to the Executive Committee for its agenda for the coming year:

(1) The issue of providing procedures for imposing sanctions on tenured faculty short of removal for cause. Professor Griffith explained that under federal regulations or statutes the University is obliged to do that, for instance, with regard to federal research, sexual harassment, etc., and the University has no procedures at all in the Faculty Code for dealing with these potential problems. He called attention to the recent Chronicle article about litigation that is taking place at Cornell over the discipline of a faculty member on charges of sexual harassment, and the issue is precisely the procedures that were followed in the imposition of the sanctions and of the sanctions on the professor. Professor Griffith said that he thought it was vital that the Senate study this issue to try to determine what kind of procedures make sense to provide before the University is sued for not having adequate procedures in place when this kind of issue comes up.

(2) The issue of the University's policy of levying the costs of settlements or judgments in litigation against academic departments. Professor Griffith noted that he was still awaiting an answer to the query that he placed with the Executive Committee last year as to whether the University will state formally this policy. He said he would like to have the policy clarified as to how the settlement issue is imposed as a cost on the department or school.

Professor Pelzman said that he would place both of these issues on the Executive Committee's agenda this year.

ADJOURNMENT

Upon motion made and seconded, the President adjourned the meeting at 3:35 p.m.



Brian Selinsky
Secretary

A RESOLUTION ON PARKING RATES (95/3)

WHEREAS, The George Washington University is a non-profit institution, wherein provision of faculty and staff parking by the University is viewed as a necessary condition of employment; and

WHEREAS, a substantial portion of faculty and staff are dependent upon automobile transportation for the daily commute to and from work; and

WHEREAS, the rationale for imposition of a parking fee is to reimburse the University for the associated costs of providing parking facilities, the University Administration nevertheless refuses to make available a clear and reasonably detailed accounting of associated income and expenses in justification of the current parking rate structure; and

WHEREAS, data gathered from comparable institutions and from reasonable estimates based on usage, lead to the conclusion that the parking fees charged to full-time employees and students of this University appear to be inordinately high, and furthermore that inordinately high parking fees discourage faculty, especially those who use occasional parking, from coming in to the campus on non-teaching days to the detriment of the academic environment; **NOW THEREFORE**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the parking rates charged to the full-time and part-time employees of this University be reduced by thirty-five percent, and that the rate charged to students be reduced by forty percent, in order to be comparable to the parking rates at academic institutions in close proximity to GW.

Defeated September 15, 1995

Senate Committee on Administrative Matters As They Affect The Faculty.
April 28, 1995



NATIONAL LAW CENTER

September 14, 1995

Faculty Senate
George Washington University

Dear Members of the Faculty Senate:

May I speak to you with respect to the escalation in parking costs? I am a member of the faculty of the Law School. When I joined it, more than 30 years ago, faculty had free parking, and my dean told me it was among the most prized benefits of George Washington faculty membership. Now it is bumping up against commercial rates. I would like to add two additional considerations that are not reflected in your reports.

First, it is common for faculty to teach two or three days per week. We may, if we wish, remain home most of the other days, including vacations. Some do so. It is very short sighted for the University to impose a heavy financial penalty for those of us who regularly come to the campus on at least five days of the week throughout the year. Even those not on full-time parking are penalized \$6.50 each day they show up, plus the costs of driving. Many of us in the Washington area have no realistic public transportation alternatives. We can, however stay home and continue to draw the same salary, but surely this is not in the interest of the University to encourage. Commercial lots set rates to maximize their profits, period. A university should aim at the maximum total return from its investment in a member of the faculty.

Second, extraction of the maximum parking rate is tax-foolish. The \$1,248 full-time parking rate includes a 12 per cent D.C. tax and is paid out of after-tax income, both federal and local. Thus its total cost to a faculty member may represent, say \$1600 in salary, depending on tax brackets.

By way of analogy, it is common for law firms to reimburse lawyers for their dinners when they work at their offices into the evening. This is not charity or even generosity; it is simply a realization that it represents an investment whose return outweighs its costs. Similarly, the University should attempt to encourage its faculty to be available on its campuses, not penalize us for doing so. Our parking rates are an assault on academic excellence.

Sincerely,

A handwritten signature in cursive script, appearing to read 'David Robinson, Jr.'.

David Robinson, Jr.
Professor of Law

REPORT OF THE EXECUTIVE COMMITTEE
SEPTEMBER 15, 1995
JOSEPH PELZMAN, CHAIR

On behalf of the Executive Committee, I would like to report on the following matters:

I. GRIEVANCES

(1) In a grievance from the School of Arts and Sciences, the Special Mediator, Professor Izumi, reported that a satisfactory resolution was achieved in this case.

(2) A Preliminary Hearing was held in a grievance from the Medical School. The issues in this case will be reviewed by the Dispute Resolution Committee.

(3) A Formal Hearing was completed in a grievance from the Graduate School of Education and Human Resources. An Appeal has been filed and an appeal hearing will be scheduled.

(4) In a grievance from the School of Arts and Sciences, the Executive Committee appointed Professor William B. Griffith on June 7, 1995, as Special Mediator in this case.

II. RECODIFICATION OF THE FACULTY CODE

The Faculty Senate Office has prepared a draft of the Faculty Code incorporating all amendments since the 1986 printing approved by the Faculty Senate and Board of Trustees with the exception of Resolutions 95/1 and 95/2, which are awaiting Board approval. Those two resolutions were adopted by the Senate at its May 4, 1995, meeting and forwarded to the President for Board action. Resolution 95/1 concerns deletion of the provisions relating to retirement because of age, and Resolution 95/2 concerns leave provisions. As soon as the Board has acted upon these two resolutions and has approved the draft Faculty Code, a new edition will be published.

III. OCTOBER SENATE MEETING

A Resolution on the Policy on Patents and Scholarly Works from the Research Committee will be taken up at the October 13th Senate meeting. All Senators are urged to read this policy prior to the meeting and be prepared to vote on it October 13th.

IV. OTHER MATTERS

(1) The Executive Committee is working on a list of agenda items for the coming year. We begin the process by working with the administration in reviewing the goals of this institution, and looking at developing a broader statement about its mission.

(2) The Executive Committee will also be looking at retirement policy in a larger context than was the initial focus of the Special Faculty/Administration Committee established last year. There will be more on this topic once we set up committees to deal with this.

(3) A Report from Professor Schechter, Chair, of the Special Committee on Senate Representation and Terms, has been received by the Executive Committee. This Report is under review by the Executive Committee.

(4) An updated membership list of Senate Standing Committees will be distributed with the minutes. This list will reflect any changes in the membership since May, 1995.

(5) In the spirit of shared governance, the Executive Committee proposed to the Administration that a representative of the Senate be allowed to attend meetings of the Council of Deans. The Administration has agreed to allow a one-year trial of this arrangement, and I will be serving this year as the Senate's representative.

V. ANNOUNCEMENTS

(1) A Faculty Assembly has been set by the President for Tuesday, October 3, 1995, at 2:30 p.m. in a location to be announced. Senators are encouraged to invite their colleagues to attend this annual Assembly.

(2) The next Executive Committee meeting is scheduled for Friday, September 29th. The Vice President and Treasurer, Lou Katz, will be meeting with the Executive Committee on a more regular basis now as a special guest visitor. At this time the Executive Committee will be dealing with some of the issues concerning the financial plans of the University given the transfer of resources to the Law School, the Federal attack on subsidized student loans, and other possible financial shifts. Any reports or resolutions should be forwarded by Committee Chairs to the Executive Committee before September 29th for inclusion on the Senate's agenda for the October 13th meeting.

(Updated 9/95)

FACULTY SENATE COMMITTEES
1995-96 Session

STANDING COMMITTEE CHAIRS*
1995-96

EXEC. CTE.
LIAISON

1.	ADMINISTRATIVE MATTERS AS THEY AFFECT THE FACULTY Chair, Professor Robert E. Park	Pelzman
2.	ADMISSIONS POLICY, STUDENT FINANCIAL AID, AND ENROLLMENT MANAGEMENT Chair, Professor Kurt J. Darr	Elgart
3.	APPOINTMENT, SALARY, AND PROMOTION POLICIES Chair, Professor William B. Griffith	Boswell
4.	ATHLETICS AND RECREATION Chair, Professor David E. Silber	Boswell
5.	EDUCATIONAL POLICY Chair, Professor Diane M. Brewer	Solomon
6.	FACULTY DEVELOPMENT AND SUPPORT Chair, Professor Murli M. Gupta	Elgart
7.	FISCAL PLANNING AND BUDGETING Chair, Professor Anthony M. Yezer	Pelzman
8.	HONORS AND ACADEMIC CONVOCATIONS Chair, Professor Ormond A. Seavey	Captain
9.	LIBRARIES Chair, Professor Keith E. Smith	Kahn
10.	PHYSICAL FACILITIES Chair, Professor Ernest J. Englander	Englander
11.	PROFESSIONAL ETHICS AND ACADEMIC FREEDOM Chair, Professor Lilien F. Robinson	Kahn
12.	RESEARCH Chair, Professor Muhammad I. Haque	Solomon
13.	UNIVERSITY AND URBAN AFFAIRS Chair, Professor John R. Harrald	Captain
14.	JOINT COMMITTEE OF FACULTY AND STUDENTS Chair, Professor Joseph L. Tropea	Pelzman

*Member of the Senate

MEMBERS OF THE FACULTY SENATE COMMITTEES
1995-96 SessionExecutive Committee

Funger 624	Joseph Pelzman, Chair, (ESIA)	4-7108
2134 G St. #206	John G. Boswell (GSEHD)	4-7117
Phillips T-514	Yvonne Captain (CSAS)	4-7078
ACC 6A-406	Mervyn L. Elgart (SMHS)	4-3496
Monroe 203D	Ernest J. Englander (SBPM)	4-8203
Phillips 643	Walter K. Kahn (SEAS)	4-7186
Sto 409	Lewis D. Solomon (NLC)	4-6753
Rice 8th Flr	Stephen J. Trachtenberg, President, <u>ex officio</u>	4-6500

ADMINISTRATIVE MATTERS AS THEY AFFECT THE FACULTY

*Chair: Park, Robert E., NLC
Churchill, R. Paul, Philosophy
Fife, Jonathan D., Educational Leadership
Jenkins, Robert, Psychiatry & Behavioral Science
Sullivan, Patricia A., Exercise Science

ex officio:

Bortz, Walter., Vice President for Administrative and Information Services
Keimowitz, Robert I., Dean of the Medical Center for Academic Affairs
Katz, Louis H., Vice President and Treasurer
*Pelzman, Joseph, Executive Committee Liaison

ADMISSIONS POLICY, STUDENT FINANCIAL AID, AND ENROLLMENT MANAGEMENT

*Chair: Darr, Kurt J., Health Services Management & Policy
Bergquist, K., Radiology
Huve, Gerard P., Romance Languages
*Kahn, Walter K., CMEE
Lear, George B., Jr., Naval Science
McGraw, Stephen, Medicine
Ticktin, Max D., Classics

ex officio:

Chernak, Robert A., Vice President for Student & Academic Supp. Svcs.
*Elgart, Mervyn L., Executive Committee Liaison
Lehman, Donald R., Assoc. Vice President for Research and Graduate Studies
Long, Caroline, Gelman Library
Petron, David, Student Liaison
Rypkema, Geri, Director, Fellowship & Graduate Student Support
Salamon, Linda B., Interim Vice President for Academic Affairs
Selinsky, Brian P., Interim Registrar
Siegel, Fred, Exec. Director for Enrollment Mngmt/Dir. of Admiss.
Small, Daniel, Director of Enrollment Management Administration

*Member of the Senate

APPOINTMENT, SALARY, AND PROMOTION POLICIES, (INCLUDING FRINGE BENEFITS)

*Chair: Griffith, William B., Philosophy
Abravanel, Eugene, Psychology
Freund, Maxine B., Teacher Preparation & Special Education
Harper, Edmund P., Physics
Horbach, Nicolette, OB/GYN
Jabbour, George, Finance
Katz, Irving J., Mathematics
Koenig, Marilyn, Anatomy
Lynch, Sharon H., Teacher Preparation & Special Education
Quitslund, Jon, English
Sarkani, Shahram, CMEE
Warren, Clay C., NCCS (Sabb. Fall '95)
Weitzer, Ronald, Sociology
Wirtz, Phillip W., Management Science

ex officio:

Bortz, Walter M., Vice President for Administrative & Info. Svcs.
*Boswell, John G., Executive Committee Liaison
Katz, Louis H., Vice President and Treasurer
Salamon, Linda B., Interim Vice President for Academic Affairs

ATHLETICS AND RECREATION

Chair: Silber, David E., Psychology
Caress, Edward A., Chemistry
Kirsch, Arthur D., Statistics
Paup, Donald C., Exercise Science
Petto, Joseph, Naval Science
Rowley, David A., Chemistry
Sullivan, Patricia A., Exercise Science
Ullman, Daniel, Mathematics
Weintraub, Herbert D., Anesthesiology

ex officio:

*Boswell, John G., Executive Committee Liaison
Chernak, Robert A., Vice President for Student & Academic Supp. Svcs.
Curtis, Nathan, Student Liaison
Friedenthal, Jack H., Dean, National Law Center
Kvancz, Jack, Director of Athletics and Recreation
Warner, Mary Jo, Senior Associate Director of Athletics & Recreation

*Member of the Senate

EDUCATIONAL POLICY

*Chair: Brewer, Diane M., Speech & Hearing
Basara, Dennis, Naval Science
Churchill, R. Paul, Philosophy
Eisen, Robert, Religion
Granger, Mary J., Management Science
Harper, Edmund P., Physics
Ticktin, Max D., Classics

ex officio:

Alexander, Elizabeth, Student Liaison
Chernak, Robert A., Vice President for Student & Academic
Support Services
Lehman, Donald R., Assoc. Vice President for Research & Graduate
Studies
Salamon, Linda B., Interim Vice President for Academic Affairs
Selinsky, Brian P., Interim Registrar
Siegel, Fred, Executive Director for Enrollment Management/Director
of Admissions
Small, Daniel, Director of Enrollment Management Administration
*Solomon, Lewis D., Executive Committee Liaison
Stebelman, Scott, Gelman Library

FACULTY DEVELOPMENT AND SUPPORT

*Chair: Gupta, Murli M., Mathematics
Bagchi, Prabir K., Management Science
Evans, Joyce, Health Care Services
Greenberg, Joseph, Educational Leadership
Oertel, Yolanda C. Pathology
Sheldon, Debra, Accountancy
Tabbara, Sana O., Anatomic Pathology
Umpleby, Stuart A., Management

ex officio:

Bortz, Walter M., Vice President for Administrative & Information
Services
Clifford, James E., Director, Personnel Services
*Elgart, Mervyn L., Executive Committee Liaison
Jackson, Rebecca, Gelman Library
Rogers, Sharon J., Associate Vice President for Academic Affairs

*Member of the Senate

FISCAL PLANNING AND BUDGETING

*Chair: Yezer, Anthony M., Economics
Cherian, Edward J., Management Science
DePalma, Diane M., University Counseling Center
Garris, Charles A., CMEE
*Griffith, William B., Philosophy
Harrington, Robert J., CMEE
Kwoka, John E., Economics
Paratore, Salvatore R., Educational Leadership
Smythe, Robert T., Statistics
Solomon, Henry, Economics

ex officio:

Boselovic, Don, Assistant Vice President for Budget
Chernak, Robert A., V.P., for Student and Academic Support Services
Clough, Craig, Associate Vice President of the Medical Center
Harding, Harry, Dean, Elliott School of International Affairs
Katz, Louis H., Vice President and Treasurer
Jacox, Mark, Associate Vice President for Finance
*Pelzman, Joseph, Executive Committee Liaison
Price, Irwin, Associate Vice President for External Programs
Siggins, Jack, University Librarian

HONORS AND ACADEMIC CONVOCATIONS

*Chair: Seavey, Ormond A., English
Jones, Douglas., CMEE
Moore, Dorothy A., Educational Leadership
Regnell, Joan R., Speech & Hearing
Wade, Alan G., Theatre & Dance

ex officio:

Anderson, G. David, Gelman Library
*Captain, Yvonne, Romance Languages & Literatures
de Guzman, Antonio, Student Liaison
Holland, Sandy H., University Relations
Kasle, Jill F., University Marshal
Salamon, Linda B., Interim Vice President for Academic Affairs
Selinsky Brian P., Interim Registrar
Shipway, Lynn D., Special Assistant to the Vice President for
Administrative & Information Services

*Member of the Senate

LIBRARIES

*Chair: Smith, Keith E., Accountancy
King, Michael, Chemistry
Lowe, John, Geography
Phillips, Terry M., Medicine
Saenz, Pilar G., Romance Languages
Sewell, David, Naval Science
Thibault, J.F., Romance Languages

ex officio:

Andrews, Avery D., Asst., Dean of the Graduate School of Arts & Sciences
Bader, Shelley A., Director, Medical Library
Graham, Georgia, Student Liaison
*Kahn, Walter K., Executive Committee Liaison
Pagel, Scott B., Librarian, Law Library
Salamon, Linda B., Interim Vice President for Academic Affairs
Siggins, Jack, University Librarian

PHYSICAL FACILITIES

*Chair: Englander, Ernest J., SBPM
Lowe, John, Geography
O'Rear, Charles, Forensic Science
Sabelli, Bradley W., Theatre & Dance
Schlagel, Richard H., Philosophy
Stephens, George C., Geology

ex officio:

Bortz, Walter M., Vice President for Administrative & Info. Svcs.
*Englander, Ernest J., also serves as Executive Committee Liaison
Ingle, Alan L., Associate Vice President for Business
Katz, Louis H., Vice President and Treasurer
MacEwen, Virginia, Gelman Library
Pompan, Jonathan, Student Liaison
Rogers, Sharon J., Associate Vice President for Academic Affairs

*Member of the Senate

PROFESSIONAL ETHICS AND ACADEMIC FREEDOM

*Chair: Robinson, Lilien F., Art
Goodenough, David, Radiology
Harrington, Robert J., EECS
Hartswick, Kim J., Art
*Johnston, Gerald P., Law
Lobuts, John, Jr., Management Science
McGrath, Mary H., Surgery
Moses, Michael F., Mathematics
Pierpont, Howard, C., (Emeritus) Surgery
Robinson, David, Jr., Law
Stephanic, Jeffrey L., Art
Tuazon, Carmelita, Medicine
Yeide, Harry E., Religion

ex officio:

Caress, Edward A., Interim Dean, Columbian School
Futrell, Mary H., Dean, Graduate School of Education
*Kahn, Walter K., Executive Committee Liaison
Kaplan, Susan B., Assistant Treasurer for Legal Matters

RESEARCH

*Chair: Haque, Muhammad I., CMEE
+Achrol, Ravi S., Market Logistics & Operations Management
Bagchi, Prabir K., Management Science
Berman, Barry L., Physics
Bjelajac, David, Art
+Garris, Charles A., CMEE
Hawkins, Donald, Tourism Studies
Junghenn, Hugo D., Mathematics
McNellis, Robert, Health Care Services
Pardavi-Horvath, Martha, EECS
Rohrbeck, Cythnia A., Psychology
Wolff, Frederick, (Emeritus), Medicine

ex officio:

Dean for Research, Medical Center
Filstrip, E. Christian, Gelman Library
Lehman, Donald R., Associate Vice President for Research & Graduate Studies
*Solomon, Lewis D., Executive Committee Liaison

+Representatives from Advisory Council on Research

UNIVERSITY AND URBAN AFFAIRS

*Chair: Harrauld, John R., Engineering Management
Bosch, Juan P., Medicine
Nashman, Honey W., Human Services
Sokas, Rosemary, Medicine
Starik, Mark, Strategic Management & Public Policy
Street, Linda, Psychiatry
Williams, Carmen M., Dermatology

ex officio:

*Captain, Yvonne, Executive Committee Liaison
Cropp, Dwight S., Assistant Vice President for Government Relations
Fowler, David, Dean of the School of Business & Public Management
Henderson, Francine, Gelman Library
Katz, Louis H., Vice President and Treasurer
Reynolds, Mark, Student Liaison

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The following Committee is not a Standing Committee of the Faculty Senate but is listed for your information:

JOINT COMMITTEE OF FACULTY AND STUDENTS

Faculty Members:

*Co-Chair: Tropea, Joseph L., Sociology
Eisen, Robert, Religion
Fife, Jonathan D., Educational Leadership
Ticktin, Max D., Classics
Ullman, Daniel H., Mathematics
Wolff, Frederick, Emeritus, Medicine
Yeide, Harry E., Religion

ex officio:

Beil, Cheryl, Director, Enrollment Research & Retention
Caress, Edward A., Interim Dean, Columbian School
Chernak, Robert A., Vice President for Student & Academic Support Svcs.
Donnels, Linda, Dean of Students
Kaplan, Susan B., Assistant Treasurer for Legal Matters
*Pelzman, Joseph, Executive Committee Liaison
Strong, LeNorman J., Director of the Office of Campus Life
Wooldridge, Annie B., Assistant Vice President

STUDENT MEMBERS:

Co-Chair: Mory, Scott
Alexander, Elizabeth
Griffin, Angella
McKenna, Damian
Petron, David
Siva, Kishore
Walker, Akosua

ex officio:

Koa, John
Reynolds, Mark

*Member of the Senate

THE GEORGE WASHINGTON UNIVERSITY
Washington, DC

The Faculty Senate

August 28, 1995

The Faculty Senate will meet on Friday, September 15, 1995, at 2:10 p.m. in Marvin Center, Room 403. (Please note change of meeting place.)

AGENDA

1. Call to order
2. Approval of the minutes of the Special Meeting of April 28, 1995, and the regular meeting of May 4, 1995, as distributed
3. Resolutions:

A RESOLUTION ON PARKING RATES (95/3) with Report; Professor Robert E. Park, Chair, Committee on Administrative Matters as They Affect the Faculty (Resolution 95/3 with Report attached)
4. Introduction of Resolutions
5. General Business:
 - (a) Response of President Trachtenberg to Faculty Senate Resolutions for the 1994-95 Session, together with University Code of Academic Integrity and Policy on Conflict of Interest in Federally Funded Research as approved by the Board of Trustees (Response, Code and Policy enclosed)
 - (b) Nomination for election of Professor Muhammad I. Haque as Chair of the Research Committee as replacement for Professor Phyllis D. Kind, who retired
 - (c) Nomination for election of Professor John E. Kwoka to the Committee on Fiscal Planning and Budgeting, and Professor Edward A. Caress to the Committee on Athletics and Recreation
 - (d) Report of the Executive Committee: Professor Joseph Pelzman, Chair
 - (e) Interim Reports of Senate Committee Chairs
6. Brief Statements (and Questions)
7. Adjournment

Brian Selinsky

Brian P. Selinsky
Secretary

A RESOLUTION ON PARKING RATES (95/3)

WHEREAS, The George Washington University is a non-profit institution, wherein provision of faculty and staff parking by the University is viewed as a necessary condition of employment; and

WHEREAS, a substantial portion of faculty and staff are dependent upon automobile transportation for the daily commute to and from work; and

WHEREAS, the rationale for imposition of a parking fee is to reimburse the University for the associated costs of providing parking facilities, the University Administration nevertheless refuses to make available a clear and reasonably detailed accounting of associated income and expenses in justification of the current parking rate structure; and

WHEREAS, data gathered from comparable institutions and from reasonable estimates based on usage, lead to the conclusion that the parking fees charged to full-time employees and students of this University appear to be inordinately high, and furthermore that inordinately high parking fees discourage faculty, especially those who use occasional parking, from coming in to the campus on non-teaching days to the detriment of the academic environment; **NOW THEREFORE**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the parking rates charged to the full-time and part-time employees of this University be reduced by thirty-five percent, and that the rate charged to students be reduced by forty percent, in order to be comparable to the parking rates at academic institutions in close proximity to GW.

**A REPORT ON THE PARKING RATES
CHARGED TO EMPLOYEES AND STUDENTS
AT GEORGE WASHINGTON UNIVERSITY**

**Senate Committee on Administrative Matters
As They Affect The Faculty.**

Professor John Eftis, Chair

April 1995

INFORMATION IN SUPPORT OF A RESOLUTION ON PARKING.

I. INTRODUCTORY BACKGROUND

From the time of its inception in 1821 and on through to the year 1967, this University did not charge its employees to park or otherwise leave its vehicles on its premises, whether the vehicle be horse, buggy, carriage or automobile. The provision of parking space without charge over these one-hundred-forty-six years was considered to be the responsibility of the University acting as the employer, just as it was, and still is, the University's responsibility as employer to provide office space for its employees without charge.

The year 1968 marked a change in the University Administration's view as to which party, the employer or the employee, should assume the financial responsibility associated with the provision and maintenance of University-owned parking space. This change appears to have been triggered by the critical need for additional parking capacity, made necessary by the parking needs of a growing University work force, requiring the construction of a multi-level parking garage. Maintaining the rationale that it would be reasonable to expect University employees to assume some share of the financial obligation involved in construction of the garage, a \$5/month (\$60/yr.) parking fee was introduced by the Administration for all full-time employees wishing to utilize the existing parking facilities to help pay for the garage, or so we were lead to believe. The multi-level parking facility was constructed and operational by 1974 (or thereabouts). It has been in operation for twenty years, and it is entirely possible that by now (1995) the cost involved in the construction of the garage has been entirely covered.

In the meantime the imposition of the parking fee, ostensibly to help pay off the University parking garage, appears to have acquired a new life of its own, beyond its original intention, since it has now become a permanent fixture. Moreover, bowing to the dictates of inflation, it has become reasonable to expect that the initial fee should be increased routinely each year, and so it has, rising from the original charge at \$60/yr in 1968 to the current level of \$1,200/yr in 1994. Incidentally, by this process the university Administration has transformed its earlier role as a provider of parking space without charge, to one that rents the spaces that the University owns, albeit to a very special clientele, namely its employees.

A Resolution on Parking (90/14), prepared by the Senate Committee on Appointments, Salary and Promotion Policies including Fringe Benefits, was presented to the Faculty Senate on April 12, 1992, (refer to Attachment No. 1). The resolving clause of the resolution asked the Senate to adopt the following:

That parking fees be frozen at the October 1, 1990, level for a period of three years and that the administration conduct a review during the third year, in consultation with the Committee on Appointment, Salary and Promotion Policies, including Fringe Benefits; in the event that the decision is made to increase fees at that time, such an increase should not exceed the percentage of faculty salary

increases for that year.

The Senate voted to refer the resolution to the Fiscal Planning and Budgeting Committee for further study. However, it seems there to have died a quiet death, since nothing further has been heard from this Committee concerning Resolution 90/14. There has been no further Faculty Senate action concerning this issue since that time.

II. COMPARATIVE PARKING RATES

Metropolitan Area Universities (1994)

Institution	Employee Category	Parking Facility	Monthly Rate	Annual Rate
American University	Full-time faculty and Staff	Campus garage & restricted lots	28.75	345
		Unrestricted lots	16.67	200
Catholic University	Full-time faculty and Staff	Campus garage	21.67	260
		Unrestricted lots	17.50	210
Georgetown University	<u>Main Campus</u> Full-time faculty and Staff	Campus garage & lots	61.00	732
	<u>Law Center</u> Staff	Garage	52.00	624
	Faculty	Garage	73.00	876
	<u>Medical Center</u> Faculty and Staff	Garage & lots	79.00	948
George Washington University	Full-time faculty and Staff	Campus garage & lots	100.00	1,200
Howard University	Full-time faculty and Staff	Campus lots	20.00	240
University of Maryland (College Park)	Full-time faculty and Staff	Campus lots	9.08	109
George Mason University (Arlington & Fairfax)	Full-time faculty and Staff	Campus lots	8.33	100

Nearby Non-Academic Institutions (1994)

		Comments
US State Department All employees	(23rd & C Sts., NW) Garage & lot parking* Monthly rate No charge-nominal charge†	*Employees must apply for parking permits which are issued based on a formula that considers rank, years of service and distance of daily commute. †To pay the wages of parking attendants.
International Monetary Fund All employees	(19th St. one block from Pennsylvania Ave., NW) Monthly rate 84-89	Parking in nearby garages operated by commercial vendors
Organization of American States Employee grade level A-D G-E K-H L M-N P-Q	(17th St. & Constitution Ave., NW) Monthly rate 29.00 32.50 37.00 46.00 52.00 63.50	Parking in garage and lots owned by OHS, and in nearby garages operated by commercial vendors.
World Bank Employee grade level 11-18 19-25 26-28 29-30	(19th St. & Penn. Ave., NW) Monthly rate Garage* Garage† 93 74 102 81 111 88 120 NA	*World Bank garage located in their building †Nearby garages along 20th St. NW, operated by commercial vendors

Student Parking Rates For The Metropolitan Area Universities
(1994-1995)

Institution	Student Category	Parking Facility	Monthly Rate (dollars)	Yearly Rate (9 Mon. Academic Year)
American University	Resident	Parking lots	35.40	425
	Commuter		16.67	200
Catholic University	Resident	Garage & parking lots	23.17	278
			19.00	228
	Commuter	Garage & parking lots	21.67	260
			17.50	210
Georgetown University	<u>Main Campus</u> Resident	Parking lots	88.89	800
	<u>Law Center</u> 600 New Jersey Ave., NW	Garage	71.50 (parking pass @ 3.25 /day)	644
George Washington University	Resident (non-medical)	Garage	145.00	1,305
Howard University	Resident and commuter	Parking lots	10.00	90

III. ESTIMATES OF ANNUAL PARKING REVENUES

The Committee has requested from the Office of Vice President and Treasurer (OVPT) reasonably detailed information showing the daily/monthly parking revenues, and the expenses associated with the operation and maintenance of the University parking facilities. This information has been refused on the grounds that the Administration does not believe it to be wise to make such data public in that it could possibly cause complications with the District of Columbia Government were they to gain access to it.

The only information provided to the Committee by request from the OVPT shows gross annual parking revenues for 1993 and 1994, together with a spot survey of local commercial parking rates (refer to Attachments 2 and 2a). The total expense associated with the parking operation for the same two years was also provided (refer to Attachments 3 and 3a). According to these figures for the last two years, the parking program has been operating at annual deficits of \$292,000 and \$191,000, (in round figures) respectively. In view of the comparatively high (if not the highest) rates charged by the Administration for parking, these reported deficits are surprising.

In meetings with members of the Administration the Committee has been informed of several relevant facts that provide additional background information. The total number of full-time employees at GWU is approximately 10,000, while the number of students is approximately 16,000. The number of parking spaces available to the University is allocated by the D.C. Government. Currently, a maximum of 3,000 spaces are allocated, with 2,845 parking spaces actually available. Approximately 7,000 cars are parked for various periods of time each work day. The D.C. Government imposes a 12 percent tax on all parking charges. According to the OVPT the annual rate of increase of parking rates has been maintained at approximately 4 percent, in keeping with the rise of the consumer price index.

The administration reports annual parking revenues to be around \$3,500,000 for the past two years. Based on the information cited above and the schedule of parking fees in effect for 1993 and 1994 (refer to Attachments 4 and 4a) it is possible to roughly estimate the annual parking income (and thus corroborate the above figure). While such estimates are not exactly correct, neither can they be too far in error. The parking rates charged for full-time employees, part-time employees, resident students, medical students, commuter students, visitors, etc., vary. Based on an approximate estimate of the number of work days per year for faculty and staff, and on the number of student days per year, coupled with an average of the daily rates for the different user categories (1994 rates), the averaged charge for a daily parking transaction is about \$5.00. Assuming that faculty and staff average 44 work weeks per year and that students average 36 work weeks per year, the annual parking income can be estimated to be:

$$7,000 \text{ parks/day} \times \$5.00/\text{park} \times 5 \text{ day/week} \times 40 \text{ weeks/year} = \$7,000,000/\text{year}$$

An approximate estimate of the annual parking revenue generated by the parking facilities

can be calculated in another manner. With 10,000 full-time employees and 16,000 students, assuming that fifty percent of the full-time employees come to work using their automobiles and that ten percent of the student population buy monthly parking permits, then the combined usage will total 6,600 parking transactions for each work day. Part time use of the parking facilities by part-time employees and by visitors could conceivably bring the total daily usage to the 7,000 daily transactions mentioned previously. With monthly rates at \$100 for full-time employees and \$145 for students (omitting the contributions for the other category of users), we have for the nine month academic year,

$$\begin{aligned} 10,000 \text{ empl.} \times 0.50 \times \$100/\text{mo} \times 9 \text{ mo/yr} &= \$4,500,000 \\ 16,000 \text{ stu.} \times 0.10 \times \$145/\text{mo} \times 9 \text{ mo/yr} &= \$2,088,000 \end{aligned}$$

To account for the three summer months, assuming two-thirds fewer users than during the academic year,

$$\begin{aligned} 10,000 \text{ empl.} \times 0.50 \times 0.33 \times \$100/\text{mo} \times 3 \text{ mo/yr} &= \$500,000 \\ 16,000 \text{ stu.} \times 0.10 \times 0.33 \times \$145/\text{mo} \times 3 \text{ mo/yr} &= \$232,000 \end{aligned}$$

Adding these contributions gives an annual revenue of \$7,325,000.

By these estimates the annual revenue to the University derived from the parking facilities appears to be of the order of \$7,000,000, just about twice the level reported by the OVPT.

On the expense side the OVPT indicates that the annual payroll to operate the parking facilities for 1994 was \$1,521,571 (refer to Attachment 3a). According to the manager of the parking office there currently are twenty-six full time employees who work for the office. Using \$35,000 as the average annual salary for each employee and adding twenty percent for employer paid benefits, bring the average to \$42,000/yr, then the annual payroll for the parking staff would appear to be about \$1,092,000, considerably less than the indicated \$1,521,571. There may be other payroll costs not accounted for such as the time spent by campus police in patrolling the parking facilities. However using an average yearly salary of \$42,000 for each parking office employee is probably on the high side.

IV. CONCLUSIONS

1. The rate for full-time parking charged to the full-time employees of George Washington University is considerably more than the rates charged to the full-time employees of the metropolitan area universities, and of four large nearby non-academic institutions.
2. The monthly parking rated charged to our students purchasing monthly parking permits is higher than the monthly rate paid by the Vice-Presidents and Faculty of this University, and by the highest levels of personnel employed at the Organization of American States, the US State Department, the World Bank and the International Monetary Fund.

3. The central reason put forth by the OVPT in rationalizing the high parking rates charged by this University is — "the very high cost of real estate and construction in this area of the city". However the U.S. State Dept., the International Monetary Fund, the Organization of American States and the World Bank, which charge lower rates, are all located in the same area. Moreover, the university closest to us, located in an area of comparably high real estate values, namely Georgetown University, at its main campus charges its full-time faculty and staff and its resident students at a rate that is sixty-one percent of the rate charged at this University. The parking rates charged to the full-time employees and students at GWU appear not only to be high, but to be inordinately high.
4. The annual parking revenue reported by the OVPT appears to be understated, while the annual parking staff payroll appears to be overstated.

Attachment No. 1

A RESOLUTION ON PARKING (90/14)

WHEREAS, The George Washington University is a non-profit institution located in a high-cost metropolitan area, the providing of faculty/staff parking is viewed as a necessary condition of employment and parking fees should be maintained at nominal levels, and parking fees discourage faculty, especially those who use occasional parking, from coming in on non-teaching days; and

WHEREAS, a substantial portion of faculty and staff are dependent upon automobile transportation; and

WHEREAS, costs for providing parking and maintaining parking facilities have risen, the increases in parking rates for faculty/staff have exceeded annual salary percent increases; NOW
THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That parking fees be frozen at the October 1, 1990, level for a period of three years and that the Administration conduct a review during the third year, in consultation with the Committee on Appointment, Salary and Promotion Policies, including Fringe Benefits; in the event that the decision is made to increase fees at that time, such an increase should not exceed the percentage of faculty salary increases for that year.

Committee on Appointment, Salary and Promotion Policies,
including Fringe Benefits
March 20, 1991

Referred April 12, 1991, to the Fiscal Planning and Budgeting Committee




Attachment No 2

OFFICE OF VICE PRESIDENT AND TREASURER

January 3, 1995

TO: John Eftis
Chair, Faculty Senate Committee for Administrative
Matters as They Affect the Faculty

FROM: Louis H. Katz
Vice President and Treasurer 

SUBJECT: University Parking

I am pleased that we had an opportunity to discuss in great detail the status of parking at GW during the December 16, 1994 meeting of the Committee for Administrative Matters as They Affect the Faculty. As requested, attached is a competitive spot survey of area commercial parking rates and a schedule of GW's current parking rates. As you will note, GW's rates fall substantially below the local competition.

In answer to your question regarding gross revenues for parking, the University Parking Services' gross revenues grew only 2.2% from fiscal year 1993 to 1994, from \$3,447,218 to \$3,524,382. Since our meeting I have spoken with Barbara Evans (Manager of Parking Services) and have discussed the on-campus carpooling initiatives. She advises me that she will be setting up an in-house ride share program in the near future.

Please feel free to contact me if you have any further questions.

cc: Jody F. Winter
Attachment

COMMERCIAL PARKING -- COMPETITIVE SPOT SURVEY

November 8, 1994

RATE STRUCTURE¹

FACILITY	HOOR	MAXIMUM	EARLY BIRD	SATURDAY	EVENING	MONTHLY
COLONIAL PARKING						
2100 Pennsylvania Avenue #76	\$4.50	\$11.00	N/A	\$3.50/7.00 ²	\$3.50/7.00	\$179.14
2101 I Street #21	\$4.50	\$ 9.75	\$7.50 by 9:00am	N/A	N/A	\$178.70
2000 Pennsylvania Avenue #180	\$3.75	\$10.50	\$9.75 by 9:30am	\$2.75/5.50	\$2.75/5.50	\$177.91
1001 22nd Street #14	\$4.25	\$ 9.75	\$6.25 by 9:00am \$7.75 by 9:30am	N/A	N/A	\$178.70
2000 K Street #97	\$4.50	\$10.00	\$7.00 by 8:00am \$9.50 by 9:00am	N/A	N/A	\$197.01
2001 Pennsylvania Avenue #399	\$4.50	\$10.00	\$7.00 by 8:00am \$9.00 by 9:30am	N/A	\$5.00	\$200.76
2021 K Street #99	\$4.00	\$ 9.00	\$6.25 by 8:30am	N/A	\$3.00/4.50	\$171.81
DIPLOMAT PARKING						
2141 K Street #64	\$5.50	\$10.50	\$7.50 by 9am	N/A	N/A	\$160.00
METROPARK						
2020 K Street	\$4.25	\$ 8.00	\$6.50 by 9:30am	N/A	\$3.00 after 6pm \$2.00 after 6pm ³	\$163.00
GW PARKING SERVICES						
Full Time Faculty	N/A	\$ 6.25	N/A	\$4.50	\$4.50	\$100.00
Part Time Faculty	N/A	\$ 5.25	N/A	\$4.00	\$4.00	N/A
Visitors	4.00	\$11.50	N/A	\$4.00/11.50	\$4.00/4.50	N/A
Kennedy Center Lot	N/A	\$ 5.25	N/A	N/A	N/A	N/A

¹ All quoted rates include DC Parking Tax.

² hourly/maximum rate

³ for GW students




OFFICE OF THE VICE PRESIDENT AND TREASURER

January 24, 1995

TO: John Eftis
Chair, Faculty Senate Committee for Administrative
Matters as They Affect the Faculty

FROM: Louis H. Katz
Vice President and Treasurer

RE: University Parking



Attached is the supplemental parking information that you requested. I have included the operating expenses for the parking operation for Fiscal years 1993 and 1994.

I hope that this information will enable you to close out your review of this matter.

cc: Jody F. Winter
Enclosure

THE GEORGE WASHINGTON UNIVERSITY
PARKING OPERATING EXPENSE SUMMARY
FY 1993 and 1994

Expense Category	FY 93 Actuals	FY 94 Actuals
Payroll	\$1,534,303	\$1,521,571
Operating Expenses	\$628,034	\$561,831
Debt Service	\$1,577,152	\$1,631,604
Total Expense	\$3,739,489	\$3,715,006

c:\data\katz\parking

GWM GWU

	1993-94 RATES			1994-95 RATES		
	FEES	TAX	TOTAL	FEES	TAX	TOTAL
FULL-TIME FACULTY & STAFF (annually) (monthly)	1028.57 85.71	123.43 10.29	1152.00 96.00	89.29	10.71	100.00
FULL-TIME FACULTY & STAFF (before 5 pm) (after 5 pm)	5.36 4.02	.64 .48	6.00 4.50	5.58 4.02	0.67 0.48	6.25 4.50
PART-TIME FACULTY (before 5 pm) (after 5 pm)	4.46 3.35	.54 .40	5.00 3.75	4.69 3.57	0.56 0.43	5.25 4.00
COMPUTER STUDENTS (per period) (overtime)	4.02 2.90	.48 .35	4.50 3.25	4.02 2.90	0.48 0.35	4.50 3.25
MOTORBIKES (per semester)	9.82	1.18	11.00	10.27	1.23	11.50
STUDENT MONTHLY PERMIT	123.21	14.79	138.00	129.46	15.54	145.00
JUNIOR/SENIOR MEDICAL STUDENTS (monthly) (daily)	62.50 4.02	7.50 .48	70.00 4.50	66.07 4.02	7.93 0.48	74.00 4.50
KENNEDY CENTER (daily)	4.46	.54	5.00	4.69	0.56	5.25
WEEKENDER (no overtime fee charged)	2.90	.35	3.25	2.90	0.35	3.25
FULL-TIME FACULTY & STAFF (before or after 5 PM)	4.02	.48	4.50	4.02	0.48	4.50
PART-TIME FACULTY (before or after 5PM)	3.35	.40	3.75	3.57	0.43	4.00

First student period is from 6am to 5:40pm (includes a 10 minute grace period).
 Second student period is from 1pm to midnight.
 Overtime period begins at 5:30 pm. Overtime fee is due when parked before 1 pm and exiting after 5:30pm.
 District of Columbia Parking Tax is 12%.

GWU

VISITOR	1993-94 RATES			1994-95 RATES		
	FEE	TAX	TOTAL	FEE	TAX	TOTAL
Up to 1 hour (or fraction)	3.57	.43	4.00	3.57	.43	4.00 / hr
Up to 2 hours (or fraction)	7.14	.86	8.00	7.14	.86	8.00
Up to 3 hours (or fraction)	9.38	1.12	10.50	9.82	1.18	11.00
3 to 10 hours	10.27	1.23	11.50	9.82	1.18	11.00
Maximum after 5 pm or for the first hour (or fraction)	4.02	.48	4.50	4.02	.48	4.50
	3.57	.43	4.00	3.57	.43	4.00



175TH ANNIVERSARY 1821-1996

THE PRESIDENT

June 12, 1995

To: Professor Joseph Pelzman

Fr: Stephen Joel Trachtenberg

Re: **Faculty Senate Resolutions for 1994-95**

This is the response to the Resolutions adopted by the Senate in the 1994-95 session.

SJT/bf

Enclosures

A handwritten signature in black ink that reads 'Stephen Joel Trachtenberg'. The signature is written in a cursive, flowing style.

Administration Response to Resolutions from the Faculty Senate

1994-95 Term

Resolution 94/1 *A Resolution to Provide Voluntary Retirement Opportunities and Incentives to Faculty*

Response: **No action required.**

Resolution 94/2 *A Resolution on Administrative Nonconcurrences with Faculty Recommendations*

Response: **Approved by the Board of Trustees as of February 9, 1995 (text attached).**

Resolution 94/3 *A Resolution to Recommend the Establishment of a Joint Faculty-Administration Task Force on Retirement Opportunities and Incentives to Faculty (Substitute)*

Response: **Acted on by the Administration (see French memo to Gupta, April 25, 1995).**

Resolution 94/4 *A Resolution on the Strategic Plan for Research*

Response: **Received**

Resolution 94/5 *A Resolution to Amend the Faculty Code Relating to Administrative Nonconcurrences with Faculty Recommendations*

Response: **Approved by the Board of Trustees as of February 9, 1995 (text attached).**

Resolution 94/6 *A Resolution to Recommend the Adoption of a Uniform Financial Performance Model*

Response: **Acknowledged with reservations. The Administration recognizes the Uniform Financial Performance Model as an informative instrument, but does not receive it as dispositive.**

Resolution 94/7 *A Resolution Reaffirming the Faculty Code Provisions Regarding
Conferral of Tenure*

Response: **No action required.**

Resolution 94/8 *A Resolution Regarding the Proposed Academic Honor Code*

Response: **Academic Honor Code adopted by Board of Trustees as
University Code of Academic Integrity with
implementation set for the opening of the 1996 fall
semester (text of Code as adopted by the Board is
attached).**

Resolution 94/9 *A Resolution on Final Examination Conflicts*

Response: **Accepted by the Administration.**

Resolution 94/10 *A Resolution on a University-Wide Policy for Non-Smoking*

Response: **Accepted effective January 1, 1996, or sooner,
depending on the development of an appropriate
informational and enforcement plan involving faculty,
staff and students. Walter Bortz and Al Ingle to co-
chair committee of their designation.**

Resolution 94/11 *A Resolution of Appreciation for Professor Stefan O. Schiff*

Response: **Noted with our concurrence.**

Resolution 94/12 *A Resolution of Appreciation for Professor Lilien F. Robinson*

Response: **Noted with our concurrence.**

Resolution 94/13 *A Resolution Regarding a Policy on Conflict of Interest in Federally
Funded Research*

Response: **Approved by the Board of Trustees under these
conditions:**

**Request that the Faculty Senate and Administration
draft a University-wide, all-encompassing conflict
of interest policy for review by the Academic Affairs
Committee in order that the Board might receive it
for action at the May 1996 meeting.**

**Approval of this conflict of interest statement will
expire at the end of one year and be merged into the
University-wide statement to be drafted by the Faculty
Senate and Administration.**

A Resolution To Amend the Faculty Code at Section B.4 of the Procedures for the Implementation of the Faculty Code

WHEREAS, the Board of Trustees took action on February 10, 1994, requesting a revision of the provisions of the Faculty Code for the handling of administrative nonconcurrences with faculty personnel recommendations; and

WHEREAS, the Faculty Senate expressed profound reluctance to remove the role of the Board in the resolution of such nonconcurrences; and

WHEREAS, the leadership of this Board authorized the administration to seek a compromise that would retain the option of the present appeal process and concurrently introduce an alternate appeal process to be elected by the pertinent party or parties, and

WHEREAS, the Faculty Senate has endorsed such an action; now THEREFORE

BE IT RESOLVED By the Board of Trustees,
that Section B.4 of the Faculty Code be amended to add the following language, underlined, at the conclusion of that Section:

" . . . shall be transmitted to the Board of Trustees through the President, except that, at its discretion, the originating faculty unit may instead elect to leave the decision to the President."

February 9, 1995



175TH ANNIVERSARY 1821-1996

VICE PRESIDENT FOR ACADEMIC AFFAIRS

April 25, 1995

TO: Professor Murli Gupta
Chair, Faculty Senate Committee on Development and Support

FROM: *RSF*
Roderick S. French
Vice President for Academic Affairs

RE: Joint Task Force

I do regret not being able to respond more expeditiously to the resolution put forward by your committee and adopted by the Faculty Senate last November which called for a joint task force to explore the establishment of a comprehensive scheme of incentive and benefits that might be made available to retiring faculty.

My own "retirement" from my present position makes my participation in this endeavor unhelpful. I have consulted with President Trachtenberg, and we have agreed on the proper composition of the set of administrators to join you and your colleagues in the investigation of this subject.

In light of the way various responsibilities pertinent to this matter are distributed among various administrators, we really need to have four administrative members of the task force. Dr. Linda B. Salamon, as Interim Vice President for Academic Affairs, will serve as co-chair with you. The other three members will be Lou Katz, Vice President and Treasurer, Walter Bortz, Vice President for Information and Administrative Services, and Dennis Blumer, the University's new General Counsel. I think you will agree that this combination of persons represents all the appropriate areas of expertise for this task.

cc: Professor Robinson
President Trachtenberg

Resolution to Adopt a University Code of Academic Integrity

WHEREAS academic life is at the heart of the mission of the University; and

WHEREAS the University has a responsibility to promote academic integrity among its student and faculty communities; and

WHEREAS the Faculty Senate and Student Association have both passed the Code of Academic Integrity;

BE IT THEREFORE RESOLVED that the Code of Academic Integrity is hereby adopted by the Board of Trustees, effective Fall, 1996; and that the interim time shall be used to prepare for the implementation of the Code; and

BE IT FURTHER RESOLVED that any editorial changes which have been made on the advice of the University's legal counsel shall be communicated to the faculty and student groups which originated the Code of Academic Integrity.

May 12, 1995

**The George Washington University
Code of Academic Integrity**

PREAMBLE

We, the Students, Faculty, Librarians and Administration of The George Washington University, believing academic honesty to be central to the mission of the University, commit ourselves to its high standards and to the promotion of academic integrity. Commitment to academic honesty upholds the mutual respect and moral integrity that our community values and nurtures. To this end, we have established The George Washington University Code of Academic Integrity.

Article I - The Authority of the Code of Academic Integrity

Section 1 - Jurisdiction of the Code of Academic Integrity

The Code of Academic Integrity shall have jurisdiction over the following schools within the University:

- 1) the Columbian School of Arts and Sciences;
- 2) the Elliott School of International Affairs;
- 3) the Graduate School of Education and Human Development;
- 4) the School of Business and Public Management;
- 5) the School of Engineering and Applied Science;
- 6) the Health Sciences programs in the School of Medicine and Health Sciences.

Section 2 - Repeal of Prior University Policies on Academic Dishonesty

Academic dishonesty policies of The George Washington University applicable to the aforementioned schools previous to the time of the passage of this Code of Academic Integrity are hereby repealed and are for all intents and purposes null and void. The previous academic dishonesty policies of The George Washington University shall remain in force at the National Law Center, which is excluded from this Code.

Section 3 - Interpretation

Conflicts or questions about the Code of Academic Integrity (including its interaction with other policies of the University) should be forwarded to the Office of the Vice President for Academic Affairs. The Vice President for Academic Affairs or a designee shall be the final interpreter of the Code of Academic Integrity.

Article II - Basic Considerations

Section 1 - Definition of Academic Dishonesty

- (a) Academic dishonesty is defined as cheating of any kind, including misrepresenting one's own work, taking credit for the work of others without crediting them and without appropriate authorization, and the fabrication of information.
- (b) Common examples of academically dishonest behavior include, but are not limited to, the following:
 - 1) *Cheating* - intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise; copying from another student's examination; submitting work prepared in advance for an in-class examination; representing material prepared by another as one's own work; submitting the same work in more than one course without prior permission of both instructors; violating rules governing administration of examinations; violating any rules of a course or program relating to academic conduct.

- 2) *Fabrication* - intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
- 3) *Plagiarism* - intentionally representing the words, ideas, or sequence of ideas of another as one's own in any academic exercise; failure to attribute quotation, paraphrase, or borrowed facts or information.
- 4) *Falsification and forgery of University academic documents* - knowingly making a false statement, concealing material information, or forging a University official's signature on any University academic document or record. Such academic documents or records may include the application for admission, transcripts, add-drop forms, requests for advanced standing, requests to register for graduate-level courses, etc. (Falsification or forgery of non-academic University documents, such as financial aid forms, shall be considered a violation of the non-academic student disciplinary code.)
- 5) *Facilitating academic dishonesty* - intentionally or knowingly helping or attempting to help another to commit an act of academic dishonesty.

Section 2 - Reportage

- (a) It is the moral responsibility, but not sanctioned obligation, of each member of the George Washington University community to respond to suspected acts of academic dishonesty by: 1) consulting the individual(s) thought to be involved and encouraging them to report it themselves, and/or 2) reporting it to the instructor involved, and/or 3) reporting it to the Academic Integrity Council.
- (b) Reporting oneself after committing academic dishonesty is strongly encouraged and may be considered in determining sanctions.

Section 3 - Assignments and Examinations

- (a) Instructors are solely responsible for establishing academic assignments and methods of examination.
- (b) Instructors are encouraged to provide to students clear explanations of their expectations regarding the completion of assignments and examinations, including permissible collaboration.
- (c) Instructors are encouraged to choose assignments and methods of examination believed to promote academic honesty. Examples of these include careful proctoring of examinations and the constant creation of fresh exams. Collaborative projects and unproctored examinations do not violate the practice of academic honesty. When assigning collaborative projects or using unproctored examinations, the instructor should explicitly state the expectations of performance for all participants.
- (d) Instructors are encouraged to provide opportunities for students to affirm their commitment to academic integrity in various settings, including examinations and other assignments. The following statement may be used for this purpose: "I, (student's name), affirm that I have completed this assignment/examination in accordance with the Code of Academic Integrity."

Article III - The Academic Integrity Council

Section 1 - Mission of the Academic Integrity Council

- (a) The Academic Integrity Council will be responsible for promoting academic integrity and for administering all procedures in this Code.

- (b) Administrative and logistical support for the Academic Integrity Council shall be provided by the Office of the Associate Vice President for Academic Affairs. The office shall be the repository for records pertaining to the Code of Academic Integrity and Academic Integrity Council.

Section 2 - Composition of the Academic Integrity Council and the Hearing Panels

- (a) The Academic Integrity Council shall have members from each of the participating schools. There will be six students and four faculty members from the Columbian School of Arts and Sciences. There will be four students and two faculty members from each of the following schools: the Elliott School of International Affairs, the Graduate School of Education and Human Development, the School of Business and Public Management, and the School of Engineering and Applied Science. There will be two students and one faculty member from the Health Sciences Program in the School of Medicine and Health Sciences. The terms of all members shall be one academic year. Members may reapply for additional terms. The process for identifying and selecting candidates to serve on the Academic Integrity Council shall be determined by the Implementation Team, as described in Article V, Section 2.
- (b) At the beginning of each academic year, five presiding officers will be elected by the full membership of the Council, from among the student members, at a meeting convened by the Associate Vice President for Academic Affairs or a designee. Insofar as possible, these Officers shall rotate responsibility for presiding over cases. The presiding officer will have no vote in the deliberations on establishing guilt or recommending a sanction at the hearing.
- (c) Hearing Panels selected from members of the Academic Integrity Council shall adjudicate all cases arising under this Code. The Associate Vice President for Academic Affairs or a designee will select and convene hearing panels as needed. A Hearing Panel shall be comprised of a presiding officer, two student members and two faculty members. Two of the members shall be from the home school of the respondent(s). One of the members shall be from the home school of the course. Should Academic Integrity Council members from the home schools of the respondent and course be unavailable to adjudicate a case, the Associate Vice President for Academic Affairs or a designee may appoint other Academic Integrity Council members as substitutes.
- (d) Cases arising in the summer may be adjudicated in the summer, providing that members of the Academic Integrity Council are available. Otherwise they will be adjudicated during the following academic year.
- (e) All members of the Academic Integrity Council shall participate in training organized by the Associate Vice President for Academic Affairs or a designee.

Section 3 - Selection and Removal of Academic Integrity Council Members

- (a) During each spring semester, a Selection Committee will handle the nomination, application and selection processes of the Academic Integrity Council members who will serve in the next academic year. This committee shall be convened by the Associate Vice President for Academic Affairs or a designee, and will be comprised of the following members:
 - 1) the Faculty Co-Chair of the Joint Committee of Faculty and Students;
 - 2) the Student Co-Chair of the Joint Committee of Faculty and Students;
 - 3) the Chair of the Faculty Senate Committee on Educational Policy;
 - 4) the Chair of the Student Association Senate Academic Affairs Committee;
 - 5) the Chair of the Faculty Senate Executive Committee or a designee;
 - 6) the President of the Student Association or a designee.

(b) The following criteria shall be used in the selection of the student members:

- 1) must be full-time students enrolled in a degree-granting program of the School which they are representing;
- 2) must have made satisfactory academic progress and be in good academic standing;
- 3) may not have any disciplinary record or probation of any sort;
- 4) may not hold any position, either elected or appointed, in the Student Association.

(c) The following criteria shall be used in the selection of the Faculty members:

- 1) must be full-time faculty members in the School that they are representing;
- 2) may not be elected members of the Faculty Senate.

(d) Members of the Academic Integrity Council who are charged with any violation of this Code or the Code of Student Conduct shall be suspended from participation during the pendency of the charges against them. Members found guilty of any violation of this Code or the Code of Student Conduct shall be disqualified from any further participation in the Academic Integrity Council. Faculty members involved in a pending case shall not participate on a Hearing Panel during the pendency of the charge.

(e) The Academic Integrity Council, by a two-thirds vote of the membership, may remove a member for non-participation. Each Academic Integrity Council shall, at the beginning of its term, define an expectation of participation for its members.

(f) Vacancies, as they occur, shall be filled by the Selection Committee.

Section 4 - Case Procedures

(a) Charges involving violations of the Code of Academic Integrity may be initiated by either faculty, students, librarian or administrators. Any charges must be made as expeditiously as is reasonably possible (normally within twelve working days) from the discovery of the infraction. Charges may be initiated as follows:

1) A student may initiate a charge of academic dishonesty against another student, by referring the case to the faculty member involved and/or to the Academic Integrity Council. If the case is brought directly to the Academic Integrity Council, for action by a Hearing Panel, then the Associate Vice President of Academic Affairs or a designee shall immediately notify the instructor of the involved course.

2) When a faculty member initiates a charge or is made aware of a violation which the faculty member determines to be substantive, the faculty member shall contact the Office of the Associate Vice President for Academic Affairs, in order to discover whether the student has ever been found guilty of a charge of academic dishonesty.

i) In first offense cases, the instructor shall either act directly, in consultation with the Department Chair, or refer the case to the Academic Integrity Council for action by a Hearing Panel. An instructor who acts directly must present the student with specific charges and a proposed sanction. Sanctions will be determined in accordance with Article III, Section 5 and Article II, Section 2 of this Code.

ii) If the faculty member acts directly then the accused student shall have the right to appeal directly to the Academic Integrity Council, for action by a Hearing Panel, should he or she disagree with the validity of the charge or the appropriateness of the sanction.

iii) Second offenses shall go directly to the Academic Integrity Council, for action by a Hearing Panel.

iv) If a faculty member is made aware of a violation which the faculty member

determines not to be substantive, the faculty member shall notify the complaining student promptly.

3) All charges initiated by members of the administration or librarians shall go directly to the Academic Integrity Council, for action by a Hearing Panel.

- (b) All actions, on any level, shall be recorded with the Office of the Associate Vice President for Academic Affairs. This includes cases handled directly by instructors.
- (c) Deliberation of the hearing shall occur in two stages: the establishment of guilt and the recommendation of sanction. To find a respondent guilty, three-quarters of the voting panel members must agree. If the panel finds a respondent guilty, they shall also make a recommendation of sanction. A sanction other than expulsion can be recommended by three-quarters of the voting panel members. A sanction of expulsion can only be recommended by a unanimous vote of the voting panel members.
- (d) Reports of the Hearing Panel shall include a finding of fact and a determination of the guilt or innocence of the respondent. If the respondent is found guilty, then the report will also include a recommendation of sanction. Sanctions will be determined in accordance with Article III, Section 5 and Article II, Section 2 of this Code. This report shall be forwarded to the Vice President for Academic Affairs, who will review the report of the Hearing Panel. If in the judgment of the Vice President for Academic Affairs the sanction recommended by the Panel is significantly at variance with sanctions imposed in closely similar cases, the Vice President for Academic Affairs may revise the sanction before notifying the respondent of the Hearing Panel's decision of guilt or innocence and the decision as to sanction. The complainant, appropriate Department Chair and Dean shall receive a copy of the Hearing Panel's report and the Vice President's decision as to sanction.
- (e) These proceedings should be concluded as expeditiously as possible. The Hearing Panels should strive to have proceedings concluded within seven weeks of the report of the violation. However, failure to do so shall not constitute improper procedure under the Code.

Section 5 - Sanctions

- (a) The minimum sanction in first offense cases shall be failure of the assignment in question. The minimum sanction in repeat violation cases shall be failure of the course. For more serious offenses sanction may be suspension from the University for a specified, minimum time or expulsion from the University. Other sanctions may be appropriate for particular cases.
- (b) Sanctions of suspension or expulsion, as a result of academic dishonesty, may only be determined by a Hearing Panel.
- (c) Attempts to commit acts prohibited by this Code may be punished to the same extent as completed violations.
- (d) Respondents found in violation of this Code may also be removed from certain University programs, in accordance with the regulations and bylaws of that program.
- (e) All sanctions except failure of the assignment in question shall be marked on the respondent's permanent record with the phrase "Academic Dishonesty". In the case of failure of the course, the notation shall remain on the record of the respondent for a minimum of two years. In the case of suspension or expulsion, the notation shall remain on the record of the respondent for a minimum of three years. After the minimum time has elapsed, the respondent may petition to the Vice President for Academic Affairs for the removal of the sanction notation from the

permanent record. This provision shall not, however, prohibit any program, department, college or school of the University from retaining records of violations and reporting violations as required by their professional standards.

Section 6 - Hearing Panel Procedural Guidelines

- (a) All attendant procedures and records of the Academic Integrity Council and its Hearing Panels, from the initial charge to the final resolution, shall be strictly confidential.
- (b) Respondents and complainants shall be given notice of the hearing date and the specific charges against them at least five calendar days in advance and shall be accorded reasonable access to the case file, which will be retained in the Office of the Associate Vice President for Academic Affairs. The instructor of the involved course, appropriate academic Dean, Department Chair and the Dean of Students shall also receive notification of the pending charges within five calendar days of the hearing.
- (c) The presiding officer may request the attendance of witnesses upon motion of any panel member, or of either party. Only witnesses who can provide direct knowledge about the given case shall be called. Requests must be approved by the Associate Vice President for Academic Affairs or a designee, and shall be personally delivered or sent by certified mail, return receipt requested. University students and employees are expected to comply with such requests. Complainants and respondents shall be accorded an opportunity to question those witnesses who testify for either party at the hearing.
- (d) Hearings will occur in the absence of respondents who fail to appear after proper notice. In this instance, complainants will still be required to present his or her case.
- (e) Hearings will be closed to the public, without exception. Prospective witnesses, other than the complainant and respondent, shall be excluded from the hearing during the testimony of other witnesses. All parties and witnesses shall be excluded from Panel deliberations. Both the complainant and the respondent may be accompanied by an advisor. The role of these advisors shall be limited to consultation. Under no circumstances are advisors permitted to address the Panel or question witnesses. The University retains the right to have legal counsel present at any hearing.
- (f) Hearings shall be conducted in accordance with the investigatory model of administrative hearings, in which the Hearing Panel assumes responsibility for the questioning of witnesses and the eliciting of relevant evidence. The purpose of the hearing is to establish the facts. The burden of proof shall be upon the complainant, who must establish the guilt of the respondent by a preponderance of the evidence. "Preponderance of the evidence" is that evidence, which when fairly considered, produces the stronger impression, has the greater weight, and is more convincing as to its truth when weighed against the evidence offered in opposition.
- (g) Formal rules of evidence shall not be applicable in proceedings conducted pursuant to this Code. The presiding officer shall admit all matters into evidence that reasonable persons would accept as having probative value. Panel members may take into consideration matters that would be within the general experience of University students and faculty members.
- (h) The presiding officer shall exercise control over the proceedings to achieve orderly and timely completion of the hearing. Any person, including the complainant and respondent, who disrupts a hearing may be excluded by the presiding officer. The presiding officer shall direct the hearing through the following: statements from both the complainant and respondent, questioning and cross-examination of witnesses by both the complainant and respondent, the questioning of the complainant, respondent and any witnesses by panel members, and

concluding statements by the complainant and respondent.

- (i) Hearings shall be tape-recorded. These tapes will be retained for a period of three years.
- (j) Any party may challenge a panel member on the grounds of personal bias. In such cases, panel members may be disqualified from the hearing by the Associate Vice President for Academic Affairs or a designee, or upon majority vote of the remaining members of the Panel, conducted by secret ballot.
- (k) Witnesses shall be asked to affirm that their testimony is truthful. False testimony will be subject to charges of intentionally providing false information to the University, pursuant to Part 11(f) of the Code of Conduct.
- (l) Affidavits shall only be admitted into evidence if signed by the affiant and witnessed by the Associate Vice President for Academic Affairs or a designee.

Section 7 - Appeals

Appeals of the decision of the Hearing Panel or of the sanction imposed by the Vice President for Academic Affairs shall only be based on new evidence or evidence of bias. After a decision has been confirmed by the Vice President for Academic Affairs, either party may file, within three working days, an intention to appeal with the Office of the Associate Vice President for Academic Affairs. A petition of appeal must be filed within five working days of the declaration of intention. Appeals will be reviewed by the President of the University or a designee. The President will then make a decision on the appeal, based on the petition and the reports of the Hearing Panel and the Vice President for Academic Affairs.

Article IV - Amendments to the Code of Academic Integrity

Section 1 - Amendments

- (a) Amendments to the Code of Academic Integrity shall be referred to or initiated by either the Faculty Senate or the Student Association. In order for an amendment to pass, both must approve the measure with a simple majority vote.
- (b) Amendments will then be forwarded to the President of the University for confirmation and submission to the Board of Trustees with the President's recommendation for action.

Section 2 - Reports and Reviews

- (a) The Office of the Associate Vice President for Academic Affairs shall make an annual report to the Academic Affairs Committee of the Board of Trustees, Joint Committee of Faculty and Students, the Faculty Senate Educational Policy Committee, the Student Association Senate Academic Affairs Committee, and the Council of Deans on the work of the Academic Integrity Council.
- (b) The Academic Integrity Council may, from time to time, make reports and recommendations to the Faculty Senate, the Student Association Senate or the Joint Committee of Faculty and Students about the state of the Code of Academic Integrity.
- (c) The Office of the Associate Vice President for Academic Affairs shall coordinate with the Joint Committee of Faculty and Students to conduct a review of the Code of Academic Integrity after its first year of operation, and then at least once every five years after that.

Article V - Implementation

Section 1 - Mission of the Implementation Team

- (a) The mission of the Implementation Team will be to plan for effective implementation of the Code of Academic Integrity and to ensure that appropriate, adequate, and timely preparation is completed prior to the date of implementation.
- (b) The types of preparation essential to effective implementation include, but are not limited to, the following:
 - 1) developing ways to educate faculty and students about the importance of academic integrity and its impact on the University;
 - 2) publication and distribution of the Code itself;
 - 3) preparation of documents that relate the Code to practical student and faculty experience and that provide both groups with strategies for avoiding academic dishonesty;
 - 4) inclusion of the Code of Academic Integrity in the recruitment of prospective students and faculty;
 - 5) planning for student, faculty and graduate teaching assistant orientation, guidance and training;
 - 6) working out practical details of implementation not explicitly covered in the Code, such as the organization of the Academic Integrity Council, the process for identifying candidates for the Academic Integrity Council, and the development of an application for Academic Integrity Council members;
 - 7) prepare a fuller listing of potential sanctions, and guidelines about the offenses for which they might be appropriate;
 - 8) planning ways to maintain a high level of visibility for the Code.

Section 2 - Composition of the Implementation Team

- (a) The Implementation Team will be convened by the Associate Vice President for Academic Affairs, upon adoption of the Code of Academic Integrity.
- (b) The Implementation Team will be comprised of the following members:
 - 1) the Faculty Co-Chair of the Joint Committee of Faculty and Students;
 - 2) the Student Co-Chair of the Joint Committee of Faculty and Students;
 - 3) the Chair of the Faculty Senate Committee on Educational Policy;
 - 4) the Chair of the Student Association Senate Academic Affairs Committee;
 - 5) the Chair of the Faculty Senate Executive Committee or a designee;
 - 6) the President of the Student Association or a designee;
 - 7) the University's General Counsel or a designee;
 - 8) the Dean of the Columbian School of Arts and Sciences or a designee;
 - 9) the Dean of the Elliott School of International Affairs or a designee;
 - 10) the Dean of the Graduate School of Education and Human Development or a designee;
 - 11) the Dean of the School of Business and Public Management or a designee;
 - 12) the Dean of the School of Engineering and Applied Science or a designee;
 - 13) the Associate Dean of the Health Sciences Program in the School of Medicine and Health Sciences or a designee;
 - 14) the Dean of Students or a designee;
 - 15) any other members of the University the Associate Vice President for Academic Affairs or a designee may deem necessary.

The George Washington University

Policy on Conflict of Interest in Federally Funded Research

Preamble and Declaration of Purpose

Potential conflicts of interest are a universal fact of life; they occur when the fulfillment of an obligation, commitment, or responsibility makes it difficult or impossible to fulfill other obligations, commitments, or responsibilities. They obviously may differ in extent or degree. The goal of any institution cannot be to eliminate all conflicts of interest. Rather it should be to define those conflicts of interest which directly or indirectly involve the institution and to establish boundaries within which conflicts of interest are tolerable and beyond which they are intolerable.

A cornerstone for a statement of policy on conflict of interest involving the University must include the principle that "... faculty shall have a primary responsibility of devoting their time, thought, and energy to service of the University" [Faculty Code III F]. At the same time and of no less importance is a *FACULTY MEMBER's* responsibility to further her/his own professional development and the goals of her/his professional discipline. Under normal circumstances, a *FACULTY MEMBER's* participation in the activities of governmental, industrial, and professional institutions is consistent with the academic interests of the University as well as those of the *FACULTY MEMBER*.

As an important component of its education, research, and public service activities, the University encourages relationships with outside parties in both the private and public sectors. Concurrently, the University strives to recruit and retain individuals with the creative abilities who can contribute to technology transfer and interactions with both the private and public sectors consistent with their primary commitment to the University. The growing partnership between the University and these entities creates new possibilities for conflict of interest. At the same time, the University benefits from research activities supported by grants, contracts, or gifts from both private and public sources, as well as from professional interactions, including consulting arrangements, between faculty and public and private entities. Such activities tend to enhance the research environment of the University in such a way as to raise the student body's general educational experience and potential for employment. Technology transfer, whether in the form of technology licensing, faculty consulting, business assistance, or by other means, and whether connected with the private or public sectors, is essential for meeting the needs of society today. The University is committed to being a full participant in helping society at large meet its needs of today and tomorrow.

As the University plays such a role in society, constant accountability and amenability to public scrutiny must be present. This requires that the University and its *FACULTY MEMBERS* or *RESEARCHERS* commit themselves to conduct of the highest integrity and ethics. For example, the value of the results from privately or publicly sponsored research must not be compromised by any SIGNIFICANT FINANCIAL INTEREST that will, or may be reasonably expected to, bias the design, conduct, or reporting of the research. It is not the intent of this policy to regulate or eliminate all circumstances of conflicts of interest. Rather, the purpose of this policy is to provide guidance to faculty in maintaining a reasonable balance between competing interests, to minimize reporting and other burdens on investigators, and to give the University the means, consistent with Federal requirements, to identify and manage conflicts of interest that could bias research outcomes. The University therefore requires all *FACULTY MEMBERS* and *RESEARCHERS* engaged in, or submitting applications for, research funded by any Federal entity with financial disclosure requirements for investigators to follow guidelines and procedures as outlined under 'Implementation' of this University Policy on Conflict of Interest; other *FACULTY* and *RESEARCHERS* are not subject to the detailed requirements set forth in the section dealing with 'Implementation'.

Conflicts of Interest and External Relationships

A. Definition of Terms

- a) *FACULTY MEMBER* means any individual possessing either a full-time or part-time academic appointment at the University as defined in the Faculty Code.
- b) *RESEARCHER* means all those individuals, e.g., staff and students, conducting, authorizing expenditures for, or negotiating terms for conducting research through Federal funding and/or associated with and responsible for Federally funded *SPONSORED RESEARCH* at the University.
- c) An *ASSOCIATED ENTITY* of a *FACULTY MEMBER* or *RESEARCHER* means any trust, organization or enterprise other than the University or any affiliated Hospital over which the *FACULTY MEMBER* or *RESEARCHER*, alone or together with her/his *FAMILY*, exercises has a SIGNIFICANT FINANCIAL INTEREST.
- d) *BUSINESS* means any corporation, partnership, sole proprietorship, firm franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other non governmental legal entity organized for profit, not-for-profit, or charitable purposes, but excluding the University, any affiliated Hospital, or any other entity controlled by, controlling, or under common control with the University or an affiliated Hospital.
- e) EXECUTIVE MANAGEMENT POSITION refers to any position which includes responsibilities for a significant segment of the operation or management of a *BUSINESS*.

f) The *FAMILY* of a *FACULTY MEMBER* or *RESEARCHER* includes her/his spouse, minor children, or other persons living in the same household, but in particular if living on the same household budget.

g) A *SIGNIFICANT FINANCIAL INTEREST* is an interest in a *BUSINESS* consisting of (1) any stock, stock option, or similar ownership interest in such *BUSINESS*, but excluding any interest arising solely by reason of investment in such *BUSINESS* by a mutual, pension, or other institutional investment fund over which the *FACULTY MEMBER* or *RESEARCHER* does not exercise control; or (2) receipt of, or the right or expectation to receive, any income from such *BUSINESS*, whether in the form of a fee (e.g., consulting), salary, allowance, forbearance, forgiveness, interest in real or personal property, dividend, royalty derived from the licensing of technology or other processes or products, rent, capital gain, real or personal property, or any other form of compensation, or any combination thereof. For purposes of this policy, a *SIGNIFICANT FINANCIAL INTEREST* exists when the interest in a *BUSINESS* by a *FACULTY MEMBER* or *RESEARCHER* ~~and/or by~~ alone or together with a *FAMILY* member exceeds \$5,000 in annual income of all types, equity or ownership interest valued at 5%, or \$5,000, or more, or commitment for any future royalties. A *SIGNIFICANT FINANCIAL INTEREST* also exists when a *FACULTY MEMBER* or *RESEARCHER* or a *FAMILY* member holds an *EXECUTIVE MANAGEMENT POSITION* in a *BUSINESS*.

h) *PARTICIPATE* means to be part of the described activity in any capacity, including but not limited to serving as the principal investigator, co-investigator, research collaborator, or provider of direct services or patient care, as well as overseer of any expenditures. This term is not intended to apply to individuals who provide primarily technical support or who are purely advisory, with no access to the data (i.e., control over its collection or analysis) or, in the case of clinical research, to the ~~trial participants~~ research subjects, unless they are in a position to influence the study's results or have privileged information as to the outcome.

i) *FEDERALLY SPONSORED RESEARCH* means research, training, and instructional projects involving funds, materials, or other compensation originating from Federal sources under agreements which contain any of the following: The agreement binds the University or an affiliated institution to a line of scholarly or scientific inquiry specified to a substantial level of detail; a line-item budget is involved; financial reports are required; the award is subject to external audit; unexpended funds must be returned to the sponsor at the conclusion of the project; or the agreement provides for the disposition of either tangible or intangible properties that may result from the activity.

B. Types of Conflicts

Conflicts of Interest:

The following material is to serve as descriptive, but not all inclusive, background relating to extramural relationships subject to this policy.

A conflict of interest is deemed to occur when an external or internal relationship directly or indirectly affects the SIGNIFICANT FINANCIAL INTEREST of the *FACULTY MEMBER* or *RESEARCHER*, any *FAMILY* member, or any *ASSOCIATED ENTITY*.

The University assumes that the possibility for conflicts of interest will occur on a regular basis owing to the nature and scope of the activities in which *FACULTY MEMBERS* or *RESEARCHERS* normally engage. However, it is essential that potential significant conflicts of interest be disclosed and reviewed by the University. Disclosure permits the University to make an informed judgment about appropriate steps to follow.

Potential conflicts of interest occur when certain behaviors activities of a *FACULTY MEMBER* or *RESEARCHER* are coupled to the existence of certain external relationships. As guidance for this policy, examples are given below with a division into three categories: **Category I** -- Allowable combinations of activities and external relationships; **Category II** -- Activities that are ordinarily allowable following disclosure with oversight procedures if necessary; **Category III** -- Activities that may be allowable with oversight after disclosure, review, and approval.

Any combination of activity and external relationships not specifically given in one of the three categories that a *FACULTY MEMBER* or *RESEARCHER* reasonably might construe as a potential conflict of interest should be reported in writing to her/his department chair, department head, center/institute director, or dean, if the latter is the direct line of responsibility. The department chair or head, center/institute director, or dean will determine whether the relationship represents an activity requiring further review, and will notify the *FACULTY MEMBER* or *RESEARCHER* accordingly in writing.

Category I -- Allowable combinations of activities and external relationships.

- a) A *FACULTY MEMBER* or *RESEARCHER* receiving royalties and honoraria for published scholarly works, occasional lectures, speeches, and other writings or creative works.
- b) A *FACULTY MEMBER* or *RESEARCHER* receiving honoraria for serving as a reviewer or serving on review panels for academic, governmental, or not-for-profit organizations.
- c) A *FACULTY MEMBER* or *RESEARCHER* receiving royalties under the University's or another academic institution's royalty-sharing policies, but the *FACULTY MEMBER* or

RESEARCHER does not have any other relationship with the royalty-granting entity. Details on the University's policy can be found in the Patent Policy document.

Category II -- Activities that are ordinarily allowable following disclosure with oversight procedures if necessary.

Research Activities:

a) A *FACULTY MEMBER* or *RESEARCHER PARTICIPATING* in research on a technology, process, or product developed in whole or in part by that *FACULTY MEMBER* or *RESEARCHER* from which she/he, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* is entitled to receive royalties from an existing *BUSINESS* under the University's or another academic institution's royalty-sharing policies, but has no other *SIGNIFICANT FINANCIAL INTERESTs* in the project.

b) A *FACULTY MEMBER* or *RESEARCHER* assigning students, postdoctoral fellows, or other trainees to research projects in which the *FACULTY MEMBER* or *RESEARCHER*, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* is entitled to receive royalties from an existing agreement with a *BUSINESS* under the University or another academic institution's royalty-sharing policies, but has no other *SIGNIFICANT FINANCIAL INTERESTs* in the project.

Instructional Projects:

c) A *FACULTY MEMBER* or *RESEARCHER* assigning students, trainees, or other staff to instructional projects, for example, design projects, in which the *FACULTY MEMBER* or *RESEARCHER*, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* has a *SIGNIFICANT FINANCIAL INTEREST*.

Category III -- Activities that may be allowable with oversight only after disclosure, review, and approval.

Research Activities:

a) A *FACULTY MEMBER* or *RESEARCHER PARTICIPATING* in research on a technology owned by or contractually obligated to a *BUSINESS* in which the *FACULTY MEMBER* or *RESEARCHER*, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* has a consulting relationship or holds a *SIGNIFICANT FINANCIAL INTEREST* other than receipt of University or Medical Center *SPONSORED RESEARCH* support or royalties consistent with the University's Patent Policy.

b) A *FACULTY MEMBER* or *RESEARCHER* assigning students, postdoctoral fellows, or other trainees to research projects in which the *FACULTY MEMBER* or *RESEARCHER*, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* has a consulting relationship or holds a *SIGNIFICANT FINANCIAL INTEREST*, other than

receipt of University or Medical Center *SPONSORED RESEARCH* support or royalties consistent with the University's Patent Policy.

c) A *FACULTY MEMBER* or *RESEARCHER* receiving University or Medical Center *SPONSORED RESEARCH* support from a *BUSINESS* in which she/he, a member of her/his *FAMILY*, or an *ASSOCIATED ENTITY* holds a *SIGNIFICANT FINANCIAL INTEREST*.

d) A *FACULTY MEMBER* or University *RESEARCHER* conducting research externally that would normally be conducted within the University.

Board Memberships:

e) A *FACULTY MEMBER* or *RESEARCHER* serving on the Board of Directors or Scientific Advisory Board of a *BUSINESS* from which that *FACULTY MEMBER* or *RESEARCHER* or a member of her/his *FAMILY* receives University or Medical Center *SPONSORED RESEARCH* support or with which the University has a substantial contractual relationship known to the *FACULTY MEMBER* or *RESEARCHER*.

Committee PARTICIPATION:

f) A *FACULTY MEMBER* or *RESEARCHER PARTICIPATING* in the consideration by a governmental agency of a technology which is owned by or contractually obligated to a *BUSINESS* in which that *FACULTY MEMBER* or *RESEARCHER*, a *FAMILY* member, or an *ASSOCIATED ENTITY* has a *SIGNIFICANT FINANCIAL INTEREST*.

External Activities:

g) A *FACULTY MEMBER* or *RESEARCHER* holding an *EXECUTIVE MANAGEMENT POSITION* in a for-profit *BUSINESS* engaged in commercial or research activities directly related to her/his University responsibilities.

h) A *FACULTY MEMBER* or *RESEARCHER* making clinical or other referrals within the scope of her/his University or Medical Center duties to a *BUSINESS* in which such *FACULTY MEMBER* or *RESEARCHER*, a *FAMILY* member, or an *ASSOCIATED ENTITY* has a *SIGNIFICANT FINANCIAL INTEREST*.

i) A *FACULTY MEMBER* or *RESEARCHER* possessing a *SIGNIFICANT FINANCIAL INTEREST* in a *BUSINESS* which competes with the services provided by the University or Medical Center with which the *FACULTY MEMBER* or *RESEARCHER* is affiliated.

Public Disclosure:

j) A *FACULTY MEMBER* or *RESEARCHER* publishing or formally presenting research results, or providing expert commentary on a subject without having previously disclosed

or simultaneously disclosing any SIGNIFICANT FINANCIAL INTEREST relating to such results or such subject.

Administrative Responsibilities:

k) A *FACULTY MEMBER* or *RESEARCHER* taking administrative action within the University or Medical Center which is beneficial to a *BUSINESS* in which she/he has a SIGNIFICANT FINANCIAL INTEREST.

Internal University Conflicts:

Though the examples given above describe conflicts a *FACULTY MEMBER* may voluntarily face, the administration of the University must be cognizant of and ready to resolve conflicts that may arise due to pressures from within the University. *FACULTY* are expected to disclose such conflicts. Three examples follow:

- a) A *FACULTY MEMBER* who has summer research support might inadvertently be asked by her/his Department Chair to devote substantial time to non research activities, e.g., curriculum revision, and still be expected to sign a declaration, e.g., a government form, that 100% of her/his time was spent on the research project.
- b) In its effort to increase the financial return of the institution, the University might encourage the pursuit of activities that will generate income from service-oriented contracts at the expense of freely chosen disinterested research and scholarship.
- c) The University might seek to restrict a *FACULTY MEMBER* or *RESEARCHER* from publishing or formally presenting research results, or providing expert commentary on a subject, because of a University SIGNIFICANT FINANCIAL INTEREST relating to such results or such subject.

Implementation

Successful implementation of this policy assumes a shared responsibility by all *FACULTY MEMBERS*, *RESEARCHERS*, and the administration of the University. *FACULTY MEMBERS* and *RESEARCHERS* are expected to report and to seek guidance concerning significant potential conflicts of interest in order to ensure that the interests of the *FACULTY MEMBER* or *RESEARCHER*, her/his profession, and the University are best served. To aid individuals in this process, a set of disclosure guidelines are given below. Once proposed activities have been administratively reviewed, including a plan of action developed and approved, University administration has the responsibility to defend the activity so long as the *FACULTY MEMBER* or *RESEARCHER* follows the plan of action, the disclosure guidelines, general University policies, and the law.

A. Disclosure Guidelines

Disclosure of SIGNIFICANT FINANCIAL INTERESTS: Anytime a *FACULTY MEMBER* or *RESEARCHER* plans to initiate an research activity for which Federal support will be solicited or Federal approval required and that falls under Categories II or III of this policy, the *FACULTY MEMBER* or *RESEARCHER* ~~is expected to~~ must disclose the activity in accordance with Part B. of this implementation section and, when required, to obtain written approval prior to beginning the activity. For purposes of this policy, disclosure is required when that interest in a *BUSINESS* by a *FACULTY MEMBER* or *RESEARCHER*, ~~or by individually or together with~~ a *FAMILY* member, exceeds \$5,000 in annual income of all types, equity or ownership interest valued at 5%, or \$5,000, or more, or commitment for any future royalties. Disclosure is also required when a FACULTY MEMBER or RESEARCHER or a FAMILY member holds an EXECUTIVE MANAGEMENT POSITION in a BUSINESS.

Disclosure when submitting a proposal for SPONSORED RESEARCH: All *FACULTY MEMBERS* or *RESEARCHERS* must disclose relevant SIGNIFICANT FINANCIAL INTERESTS on the Investigator "Significant Financial Interest Disclosure" form (Appendix A) at the time of their application for research support or technology transfer. Funding for the project will not be accessible to the *FACULTY MEMBER* or *RESEARCHER* until the disclosure of SIGNIFICANT FINANCIAL INTEREST is reviewed and approval is given, and other appropriate measures have been implemented in accord with this policy.

Disclosure when involved with review or advisory activities: All *FACULTY MEMBERS* or *RESEARCHERS* ~~are expected to temporarily excuse themselves from~~ must take no part in any University committee or review process that is considering an activity in which they have a SIGNIFICANT FINANCIAL or MANAGERIAL INTEREST.

Disclosure when involved with technology transfer: When *FACULTY MEMBERS* or *RESEARCHERS* are involved with transferring technology through patents or licensing to a *BUSINESS* in which the *FACULTY MEMBER* or *RESEARCHER* has or will have a SIGNIFICANT FINANCIAL INTEREST, the *FACULTY MEMBER* or *RESEARCHER* is ~~expected to~~ must disclose the SIGNIFICANT FINANCIAL INTEREST to the Associate Vice President for Research and Graduate Studies.

Disclosure to external entities: *FACULTY MEMBERS* or *RESEARCHERS* are expected to disclose relevant SIGNIFICANT FINANCIAL INTERESTS to sponsors of that research and in reporting, ~~by any reports,~~ either written or oral ~~communication,~~ about the research results.

B. Process

It is assumed that minor conflicts shall be resolved primarily through individual discretion or informal administrative adjustment. If a *FACULTY MEMBER* or *RESEARCHER* is

engaged or expects to become engaged in an activity that might lead to a conflict of commitment or interest, she/he is expected to consult with appropriate administrative officers, i.e., the Department Chair or Head, or equivalent, and (if necessary) the Dean or Dean's designate. In addition, a Conflicts Consultation Committee shall be established in order to afford administrators and *FACULTY MEMBERS* or *RESEARCHERS* the opportunity of consultation and, in the event of a disagreement, peer review. It shall be the responsibility of the affected parties to handle questions (whether consultative or probative) in a timely and confidential manner.

I. Establishment of the Conflicts Consultation Committee

A Conflicts Consultation Committee of at least five members shall be established within each School of the University. Its members shall be broadly representative of the disciplines and units within the School, and shall be elected by the faculty of each School.

II. Functions of the Conflicts Consultation Committee

The Committee shall have both a consultative (prospective) function and a probative (reactive) function:

a) Consultative: Consultative matters -- defined here as guidance on questions regarding whether a prospective activity may be ~~in violation of this policy~~ involve a conflict of interest as defined by this policy -- may be brought to the committee in two primary ways. First, consultation normally shall begin through administrative channels and may be referred by the Dean to the committee for its advice. Second, a *FACULTY MEMBER* or *RESEARCHER* may seek the advice of the Committee if administrative consultation ends in disagreement.

In either case, whenever the Committee finds that no conflict or potential for conflict exists in a prospective activity, the Committee shall keep a written record of its consultative activity and shall inform the appropriate parties in writing, including the Dean.

Whenever consultation results in the recommendation that a *FACULTY MEMBER* or *RESEARCHER* refrain from the activity on which consultation was sought, the committee shall report in writing that finding to the *FACULTY MEMBER* or *RESEARCHER* involved, to the appropriate administrative officers, and the Vice President for Academic Affairs.

Whenever a *FACULTY MEMBER* or *RESEARCHER* or Dean disagrees with the Committee's consultative advice, she/he may appeal the Committee's advisory decision to the University Panel (see Section III, below).

In addition, *FACULTY MEMBERS* or *RESEARCHERS* may consult confidentially and informally with the Committee; however, such consultations shall be considered advisory only and non binding.

b) Probative: Probative matters -- defined here as questioning whether on-going or completed activity may be ~~in violation of this policy~~ involve a conflict of interest as defined by this policy -- may be brought to the Committee in either of two ways. First, any disagreement regarding a probative matter that arises between the Dean and a *FACULTY MEMBER* or *RESEARCHER*, regardless of who initiated the question, may be referred to the Committee for review. Second, any member of the University community may bring directly to the Committee's attention a probative matter alleged to be in violation of this policy. A *FACULTY MEMBER* or *RESEARCHER* whose activity has been questioned shall be entitled to know the identity of the person(s) bringing such a question(s) to the Committee as well as the full extent of the question(s).

Although the Committee shall have no power to affix blame, assign penalties, or require action, it may inquire in writing of *FACULTY MEMBERS* or *RESEARCHERS* whose activities have been questioned and the *FACULTY MEMBERS* or *RESEARCHERS* in turn have the responsibility to respond to the inquiry.

Upon investigation, the Committee shall make a written report to the Dean and the Vice President for Academic Affairs either of whom, in turn, may refer the matter to the University Conflicts Resolution Panel (see below). Copies of this report shall be given to the individual who raised the question before the Committee, and to the *FACULTY MEMBER OR RESEARCHER* whose activities have been questioned. The report shall state the nature of the complaint and the results of the Committee inquiry.

III. Establishment of a University Conflicts Resolution Panel

A University Conflicts Resolution Panel shall be constituted of two members from each School's Conflicts Consultation Committee, appointed by the Vice President for Academic Affairs in consultation with the Deans of each School. Members from the School originating a matter shall recuse themselves.

IV. Functions of the University Conflicts Resolution Panel

The Panel shall have both an appeals and a recommending function:

a) The Panel shall hear appeals submitted in writing, containing such detail and accompanied by such supporting materials as the Panel shall reasonably require,

--from any *FACULTY MEMBER* or *RESEARCHER* who sought guidance from a School Committee and is dissatisfied with its advice;

--from any *FACULTY MEMBER* or *RESEARCHER* whose activities were investigated by a School Committee and is dissatisfied with the result stated in the Committee's report;

--from the Dean or any member of the University community who raised a question of conflict before a School Committee and is dissatisfied with the result stated in the Committee's report; or

--at the request of the Vice President for Academic Affairs in any of the foregoing instances.

b) The Panel shall make recommendations under the following guidelines:

--The University Panel shall give due deference to the report of the Conflicts Consultation Committee and may affirm the recommendation(s) contained in that report.

--The Panel may, if appropriate, consult with third parties.

--The Panel shall render a report to the Vice President for Academic Affairs that contains the agreed upon resolution of the matter, or conveys the lack of agreement between the Panel and the individual whose actions or proposed actions are brought into question.

--The Panel shall recommend to the Vice President for Academic Affairs any further action it deems necessary or appropriate.

V. Resolution of Conflicts of Interest

Decisions on the resolution of conflict-of-interest matters then rest with the Vice President for Academic Affairs after receipt by her/him of the University Conflicts Resolution Panel's report.

C. Record Retention

The Office of Sponsored Research and the Medical Center Office of Sponsored Projects will maintain records of all financial disclosure forms filed and all actions taken by the University, on an award-by-award basis, for at least three years beyond the termination of the award or until resolution of any action by the University or governmental agencies involving the records. All records will be maintained in a manner to protect confidentiality. Each Dean will maintain the records relating to all disclosures originating from her/his School for at least three years.

D. Reporting of Previously Approved Relationships

Each Dean annually will submit a written report to the Vice President for Academic Affairs summarizing all requests and actions regarding Category II and Category III external relationships. In addition, each Dean must report on ongoing Category II and Category III relationships to ensure that management and oversight activities are being carried out as required. The Vice President for Academic Affairs will forward these reports to the Associate Vice President for Research and Graduate Studies who may

convene a small subcommittee of the Advisory Council on Research to review the activities for consistency. On behalf of the subcommittee, the Associate Vice President for Research and Graduate Studies will communicate to the Vice President for Academic Affairs its recommendations in writing, who will in turn communicate in writing with the Deans as required. The Associate Vice President for Research and Graduate Studies will consult with appropriate faculty governance committees regarding proposed changes in the operating principles and procedures.

E. Compliance

The University expects its *FACULTY MEMBERS* and *RESEARCHERS* to comply fully and promptly with the policy, including the requirements of disclosure. Instances of deliberate breach of this policy, including failure to file or knowingly filing an incomplete, erroneous, or misleading disclosure form, violations of guidelines, or failure to comply with proscribed monitoring procedures, will be adjudicated in accordance with applicable disciplinary policies and procedures of the Medical Center and the University. Sanctions against a faculty member may be imposed only consistent with the Faculty Code of the George Washington University and the Procedures for implementation of the Faculty Code. Possible sanctions might include the following:

- Letter of admonition;
- Ineligibility of the *FACULTY MEMBER* or *RESEARCHER* for grant applications, Institutional Review Board (IRB) approval, or supervision of graduate students;
- Nonrenewal of appointment;
- Dismissal.

F. Existing Relationships

As this policy constitutes a new policy for *FACULTY MEMBERS* and *RESEARCHERS*, it is expected that there exist relationships that may need to be reported, modified, or managed. Consequently, in order to implement the policy, *FACULTY MEMBERS* and *RESEARCHERS* must disclose all existing external relationships that fall under Categories II and III above to their Department Chair or equivalent for review. This provision also applies to all new *FACULTY MEMBERS* and *RESEARCHERS* hired after this policy is adopted.

Acknowledgments and Background: This policy on conflict of interest is predominantly modeled after those of Harvard Medical School and the University of Minnesota which parallel each other closely both in format and wording. In some sections, the wording of the present document is identical or very closely paraphrased to that of Harvard's and Minnesota's. Overall, the drafting

of the document was aided by knowledge of the content of similar policies from Auburn University, Penn State University, and Vanderbilt University. Our aim has been to retain as much of the original GW Faculty Senate endorsed Conflict of Interest Policy of January 19, 1990, consistent with the new Federal requirements mandated by the National Science Foundation Financial Disclosure Policy (effective date 28 June 1995), the Public Health Service proposal (expected to be finalized early this year [1995]), and the proposed regulations of the Food and Drug Administration. Parts of the Implementation section derive from those already passed by the individual Schools, but which have never been implemented.

Adopted, as amended (dotted underlining), by the Faculty Senate on 28 April 1995

Double-underlined items were introduced and strikethrough items removed to assure compliance with the National Science Foundation Policy and the proposed Public Health Service Regulations (4 May 1995).

**Investigator Significant Financial Interest
Disclosure Policy**
(Applicable to Federally Funded Sponsored Project Proposals)

What is required?

Federal regulations require institutions to have policies and procedures in place that ensure that investigators disclose any significant financial interest that may present an actual or potential conflict of interest in relationship to externally sponsored projects. Such disclosures must be made prior to the submission of a proposal for funding,* and institutions must develop specific mechanisms by which conflicts of interest will be satisfactorily managed, reduced, or eliminated prior to award or acceptance of an award.

* If a new reportable significant conflict of interest arises at any time during the period after the submission of the proposal through the period of the award, the filing of a disclosure is also required.

Who is covered?

"Investigator" means the principal investigator/project director, co-principal investigators, and any other person at the University who is responsible for the design, conduct, or reporting of research or educational activities funded, or proposed for funding, by an external sponsor. In this context, the term Investigator includes the "Investigator's" spouse and dependent children.

What must be disclosed?

Each Investigator shall disclose all *significant financial interests*:

- (i) that would reasonably appear to be directly and significantly affected by the research or educational activities funded, or proposed for funding, by an external sponsor; or
- (ii) in entities whose financial interests would reasonably appear to be directly and significantly affected by such activities.

What is covered?

"Significant financial interests" means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights). The term does not include:

- (1) Salary, royalties, or other remuneration from Institution;
- (2) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- (3) Income from service on advisory committees or review panels for public or non profit entities;
- (4) Financial interests in business enterprises or entities if the value of such interests does not exceed \$5,000 (or \$5,000 per annum if such interests represent salary, fees or other continuing payments) or represent more than 5% ownership interest for any one enterprise or entity when aggregated for the investigator and the investigator's spouse and dependent children.

Disclosure Procedures:

- (1) All investigators must disclose their significant financial interests utilizing this form and attaching all required supporting documentation. The completed form and packet must be submitted with the proposal and Institution's Standard Routing Sheet to the appropriate Office of Sponsored Programs. Supporting documentation should be submitted in a sealed envelope marked *confidential*.
- (2) In accordance with Federal regulations, a complete disclosure must be made by Investigator(s) *prior to submission of the proposal*.
- (3) Resolutions to conflicts of interest will be incorporated in a Memorandum of Understanding (MOU) that is executed between the Investigator(s) and the Dean/Director prior to award or award acceptance.

Significant Financial Interest Disclosure
(Applicable to Federally Funded Sponsored Project Proposals)

Faculty/Staff Name _____

Department/Unit _____

College/Unit _____

Proposal Submitted to _____

I am disclosing the following significant financial interests (check one) and attaching supporting documentation (in an envelope marked confidential) that identifies the business enterprise or entity involved and the nature and amount of the interest:

("Significant financial interests" are defined on page 1.)

- _____ Salary or other payment for services (e.g., consulting fees or honoraria).
- _____ Equity interests (e.g., stocks, stock options, or other ownership interests).
- _____ Intellectual property rights (e.g., patents, copyrights, and royalties from such rights).
- _____ Other significant financial interest of the Investigator that possibly could affect or be perceived to affect the results of the research or educational activities funded or proposed for funding.

I have no significant financial interests to disclose: _____
Initials

Further I agree:

- * To update this disclosure during the pendency of the award, either on an annual basis, or as new reportable significant financial interests are obtained.
- * To cooperate in the development of a Memorandum of Understanding (MOU) that constitutes a conflict of interest "resolution plan."
- * To comply with any conditions or restrictions imposed by the University to manage, reduce, or eliminate actual or potential conflicts of interest or forfeit the award.

Signed: _____ Date: _____

(Original signature only—a "per" signature is not acceptable.)

Endorsements:

I have reviewed the significant financial interest disclosure and believe that it will be possible to develop and execute, prior to award, an MOU to manage, reduce, or eliminate any actual or potential conflict of interest; and, therefore, I recommend that the proposal be submitted to the agency at this time.

Department/Unit Head: _____
Signed

_____ Date

College Dean/Director: _____
Signed

_____ Date

